

5.00 CLASSIFICATION AND COMPENSATION

5.01 CLASSIFICATION

The State Personnel Director shall maintain the statewide classification plan which shall be based upon objective analysis of the duties of each employment position. The State Personnel Director shall assign each position an occupational class from the inventory of classes based upon the duties performed. The statewide classification plan shall apply to state service as well as non-state service positions under the purview of the State Personnel Board. The plan shall be arranged so that positions essentially alike are grouped into an appropriate occupational class, thereby assuring uniform treatment; likewise, positions not so alike shall be grouped into distinctive occupational classes, thereby assuring recognition of the nature and extent of any differences.

The assignment of a position to an occupational classification shall be based upon job analysis data, to include the Job Content Questionnaire (JCQ), professionally accepted principles and guidelines for position classification, and review of class specifications.

The State Personnel Board shall have the sole authority to limit, increase, combine, or delete occupational classes in the statewide classification plan. Upon recommendation by the State Personnel Director, an occupational class may be deleted from the statewide classification plan by the Board if another occupational class already adequately describes the class, or if there are no employees in that occupational class. Further, upon evidence that two or more occupational classes have substantially the same tasks, duties, responsibilities and minimum qualifications, the State Personnel Director may recommend that occupational classes be combined.

5.01.1 Class Series

The State Personnel Director shall provide for class series within the classification plan. Class series are arrangements of two (2) or more related occupational classes, sufficiently similar in types of work that they are assigned identical occupational titles except for terminology which reflects distinct class levels differing in complexity and importance of duties and responsibilities. Class series shall provide an established framework to recognize the increased value of an employee who has acquired additional experience, skills, and/or education which are directly related to the job and to provide for career mobility within the manning level for the positions.

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The State Personnel Director shall establish a staffing level for each position allocated to an occupational class which is part of a job class series.

5.01.2 Creation of New Occupational Classes

The State Personnel Board shall have the sole authority to create new occupational classes. In order to discourage the proliferation of unnecessarily similar occupational classes, requests for new occupational classes shall be approved by the Board only upon the production of compelling documentation in support of the need to create new classes. In the absence of compelling documentation, such requests shall result in the position being assigned to an already existing occupational classification in the State Personnel Board's schedule of occupational classes.

- A. Class establishment requests must include the following documentation:
1. Detailed justification which indicates:
 - a. the total number of affected positions;
 - b. the types of occupational classifications affected, if any;
 - c. the exact nature by which the job has evolved, and/or internal and external conditions precipitating establishment of the new class;
 - d. clearly drawn distinctions between the proposed class and the most similar classes in the existing State Personnel Board inventory of job classes;
 - e. the precise consequences of not establishing the new class;
 - f. why current job classifications do not meet current needs.
 2. The proposed class specification for the requested class.
 3. A current (less than twelve (12) months), legible representative Job Content Questionnaire (JCQ) or Role Description Questionnaire (RDQ) signed by the employee (if any) and current or prospective supervisor. However, where the job responsibilities of prospective positions are so broad or general that substantial variance among job duties exists, agencies shall provide a separate JCQ or RDQ for each prospective position of the new class.

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4. All current regulatory and legal authority materials (including citations) governing performance of job functions.
 5. A copy of the current organizational chart, signed by the agency authorized signatory, highlighting the current and proposed placement of each affected position.
 6. Valid salary survey data submitted on a completed Agency Salary Survey Data Sheet (Refer to page 5.F.1).
 7. Any other documentation deemed appropriate by the State Personnel Director.
 8. In addition to entering the class establishment request into SPAHRS, the agency must provide a detailed letter of justification addressed to the State Personnel Director.
- B. On-site desk audits, conducted by State Personnel Board staff, may be required as a component of the analysis of class establishment requests.
- C. Class establishments shall be effective on the first day of the month in which the class establishment is approved by the State Personnel Board.
- D. Please reference the SPAHRS User Training Workbook, Occupation Segment for more detailed information regarding a request for class establishment.

5.01.3 Assignment of Salary Ranges for New Occupational Classes

Salary ranges for new occupational classes will be based on valid salary survey data. In the absence of valid salary survey data, the salary range for a new occupational class shall not exceed the salary range of the most similar occupational class already existing for a year or more in the State Personnel Board's schedule of occupational classes, unless the tasks, duties, responsibilities or minimum requirements of the new occupational class substantially exceed those of the most similar class.

5.01.4 Class Specifications

Each occupational class shall have a unique class specification which includes the

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minimum qualifications an individual should possess in order to perform the duties of the particular position at entry. Statements of job duties and responsibilities are descriptive and not restrictive and are used to indicate the characteristics of positions allocated to classifications. They do not limit the authority of the appointing official to assign, direct, and control the work of employees. The use of a particular illustration of duties does not exclude others that are similar in nature, nor do the specifications dictate that each position allocated to the class will be assigned all the duties outlined. In determining the proper classification of a position, each class is considered to have entry level characteristics as well as characteristics exhibited at full performance.

No minimum qualification shall be established which excludes individuals on the basis of age, sex, physical requirement or disability unless such qualification constitutes a bona fide occupational qualification necessary for performance of essential functions. Qualifications generally required of incumbents for all positions in any class such as honesty, integrity, initiative, and willingness to cooperate are deemed to be implied as qualification requirements for entrance into and continued employment within each classification.

5.01.5 Class Specification Revision

When revision of an existing classification is requested by a user agency either through a change in the title, characteristics, examples of work, or minimum qualifications, the State Personnel Director shall evaluate the justification for the request. Only those revisions approved by the State Personnel Director shall be implemented.

- A. Class specification revision requests must include the following documentation:
1. Detailed justification which indicates:
 - a. the total number of positions and type(s) of occupational classifications affected in the agency;
 - b. quantitatively documented recruitment difficulties experienced (if any);
 - c. the exact nature by which the job has evolved, including clearly drawn distinctions between current and proposed minimum qualifications;

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- d. the precise consequences of not revising the class specification; and
 - e. why the existing job classification does not meet current needs.
 - 2. The agency must amend the current State Personnel Board class specification to reflect proposed revisions.
 - 3. A current (less than twelve (12) months), legible Job Content Questionnaire or Role Description Questionnaire signed by the employee (if any) and current or prospective supervisor, for each affected position. A representative JCQ or RDQ, appropriately signed, may be submitted when all incumbents perform substantially the same work.
 - 4. All current regulatory and legal authority materials (including citations) governing performance of job functions.
 - 5. A copy of the current organizational chart, signed by the agency authorized signatory, highlighting the location of each affected position.
 - 6. Any other documentation deemed appropriate by the State Personnel Director.
- B. On-site desk audits, conducted by State Personnel Board staff, may be required as a component of the analysis of class specification revision requests.
- C. Revisions to class specifications shall be effective on the first day of the month following the month in which the revision is approved. Revisions to class specifications for occupational classes currently on recruitment shall not be effective until the first day of the month following the month in which the class is taken off recruitment.
- D. Agencies will be notified when the validation process begins for occupations utilized by the agency. Should an agency request revision to a classification after the validation process is complete, the agency may be required to incur the cost of such revision.
- E. Please reference the SPAHRS User Training Workbook, Occupation Segment for more detailed information regarding revision of a class specification.

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5.01.6 Mandated Changes to Class Specifications and Minimum Qualifications

It is the responsibility of the user agency to notify the State Personnel Board of changes to class specifications or minimum qualifications necessitated by state or federal laws, regulations, guidelines, or other lawful requirements for those respective classes utilized by the agency.

5.01.7 Class Specifications of Multiple User Agencies

When two (2) or more agencies utilize or wish to utilize the same job classification, the State Personnel Director shall evaluate the needs of all user agencies in determining the content of the class specification.

5.01.8 Classification Plan Documents

Documents which are a part of the classification plan shall include a schedule of occupational classes, an inventory of class specifications, and a Job Content Questionnaire or Role Description Questionnaire retained by the respective state agency for each employment position.

5.02 COMPENSATION

The Variable Compensation Plan (VCP) shall be the primary instrument establishing compensation policy. The State Personnel Board shall administer appropriate compensation plans and additional compensation schedules in accordance with the policies established by the Variable Compensation Plan for each fiscal year, congruent with the intent of the Legislature as expressed in appropriations language and all other pertinent rules, regulations, procedures, and statutes.

The compensation plans adopted by the State Personnel Board shall govern adjustments to the base salaries of employees and positions under the purview of the State Personnel Board. In addition, these compensation plans shall govern the establishment of the base salary of newly hired employees, employees returning to state service after separation in good standing (reemployment), and employees returning to state service after an authorized leave of absence without pay (reappointment) and shall provide salary adjustments for in-service movement (e.g., promotions and demotions).

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5.02.1 Coverage of the Variable Compensation Plan

All requests for State Personnel Board action regarding any component of the Variable Compensation Plan shall be made in accordance with the policies and procedures outlined in the Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.

These policies shall govern employee salary increases and position changes for:

- A. State service employees and positions, and
- B. Non-state service employees and positions excluded from the state service by Section 25-9-107 (c), Mississippi Code of 1972, Annotated, as amended, but subject to State Personnel Board salary setting authority as listed below:
 - 1. Part-time employees and positions [Refer, Section 25-9-107 (c) (xi), Mississippi Code of 1972, Annotated, as amended.];
 - 2. Persons appointed on an emergency basis [Refer, Section 25-9-107 (c) (xii), Mississippi Code of 1972, Annotated, as amended.];
 - 3. Time-limited employees and positions [Refer, Section 25-9-107 (c) (xiv), Mississippi Code of 1972, Annotated, as amended.];
 - 4. Administrative heads appointed by the Governor, board, commission or other authority, unless fixed by statute [Refer, Section 25-9-107 (c) (xv), Mississippi Code of 1972, Annotated, as amended.];
 - 5. Administrative officers, deputies, bureau chiefs, and directors and their positions [Refer, Section 25-9-107 (c) (xvi), Mississippi Code of 1972, Annotated, as amended.]; and
 - 6. Personnel employed by the Mississippi Department of Wildlife, fisheries and Parks as law enforcement trainees (cadets)[Refer, Section 25-9-107 (c) (xxi), Mississippi Code of 1972, Annotated, as amended.].
- C. Agencies or positions with statutory exclusion (not under the salary setting authority of the State Personnel Board and not subject to its compensation policies) are listed below:

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1. Non-state service agencies [Refer, Section 25-9-107 (c) (i) (ii) (iii) (iv) (vii) (viii) (xvii), Mississippi Code of 1972, Annotated, as amended.];
 2. Non-state service occupations [Refer, Section 25-9-107 (c) (v) (vi) (ix) (xiii) (xix), Mississippi Code of 1972, Annotated, as amended.].
 3. Non-state service positions of associate director, deputy directors and bureau directors within the Department of Agriculture and Commerce [Refer, Section 25-9-107 (c) (xix), Mississippi Code of 1972, Annotated, as amended.]; and
 4. Non-state service positions of associate director, deputy directors and bureau directors within the Mississippi Development Authority [Refer, Section 57-1-5(3)(c)(xi), Mississippi Code of 1972, Annotated, as amended.]
- D. Salaries set by statute shall be implemented strictly in accordance with legislative intent.

5.02.2 Step Chart of Salaries

The step chart of salaries was abolished effective July 1, 1999.

5.02.3 Pay Range Assignment

The State Personnel Board shall assign salary ranges to occupational classes in recognition of the relative level of duties and responsibilities assigned to positions in an occupational class.

5.02.4 General Compensation Rules

The rate of compensation certified by the State Personnel Director under these provisions constitutes total remuneration for services rendered. No supplementary compensation for additional work performed for the state is paid except as authorized under policies governing additional compensation. [Refer, Section 25-9-119 (2) (c), Mississippi Code of 1972, Annotated, as amended.]

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- A. All requests for salary certification shall be submitted to the State Personnel Board.
- B. The State Personnel Director certifies all salaries within the state service and non-state service unless otherwise authorized by the State Personnel Board or by statute.
- C. In no case shall a salary increase or other action result in the incumbent exceeding the end salary of the job classification, unless specifically provided for in legislation.
- D. In coordination with appointing authorities, the State Personnel Board may set the annual salaries of those appointed officials whose salaries are not otherwise set by statute who work on a full-time basis in the capacity of agency head, executive director or administrator of any state department, agency, institution, board or commission under the jurisdiction of the State Personnel Board as provided in Section 25-9-101 et seq., in conformity with the State Personnel Board's compensation plan. Salaries of incumbents who serve in their professional capacity as a physician, dentist, or veterinarian shall be set in accordance with Section 25-9-107 (c) (xiii).
- E. No employee under the salary setting authority of the State Personnel Board shall receive an annual salary or compensation greater than one hundred fifty percent (150%) of the maximum salary fixed in law for the Governor and no employee within an agency shall receive an annual salary greater than the agency head. However, in accordance with Section 25-3-39(2), Mississippi Code of 1972, Annotated, as amended, the State Personnel Board, based upon its findings of fact, may exempt physicians and actuaries when the acquisition of such professional services is precluded based on the prevailing wage in the relevant labor market. Compensation, for the purposes of this section, is defined as the employee's base salary and any additional or special compensation, less paid fringe, authorized by state or federal law or as otherwise provided in State Personnel Board policy. Further, agencies are required to ensure that all employees subject to the overtime provisions of the Fair Labor Standards Act of 1938, as amended, are not scheduled to work hours that could cause the employee's total annual compensation to exceed that of the governor or the agency director.

Note: The State Personnel Board has determined that salaries of physicians and actuaries are exempt from Section 25-3-39.

- F. Payment of retroactive pay shall be certified by the State Personnel Board for employees in the state service in accordance with the Constitution of Mississippi, Article 4, Chapter 96, (1890).

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- G. The salary range of an employee in a supervisory status shall be superior in salary range to that of the employees being supervised. So as not to violate the principle of seniority or time-in-service, a subordinate employee may have an actual salary equal to or greater than the supervisor.
- H. The rate of compensation to be paid an employee or prospective employee shall be certified on the basis of the standard work period for full-time employment and in conformity with the salary range assigned the job class for which employed. Payment for part-time service shall be certified on this basis and in proportion to time actually worked (Section 25-9-119, Mississippi Code of 1972, Annotated, as amended). An employee's starting salary shall be set in accordance with the salary range of the job class to which he/she is assigned. The monthly rate of the corresponding salary is to be used for positions authorized to work forty (40) hours per week and the hourly rate is to be used for positions authorized to work less than forty (40) hours per week.
- I. The salaries of individuals hired into positions under the purview of the State Personnel Board must be approved by the State Personnel Director through SPAHRS in order to be paid.

5.02.5 Implementation of Salaries

The appointing authority shall notify the State Personnel Director of the need to establish a salary or to adjust an existing salary as the result of an approved employment position or personnel transaction in accordance with reporting procedures. [Refer,

Section 25-9-119 (2) (c), Mississippi Code of 1972, Annotated, as amended.]

- A. Only those salary increases resulting from approved position and personnel transactions for which provisions have been made during the legislative appropriations shall be implemented during the fiscal year, except where the State Personnel Board authorizes implementation outside the condition of this rule.
- B. All salary adjustments shall be effective on the first day of the month. The transaction may be transmitted to the State Personnel Board before the requested effective date or in the month of the requested effective date.

- C. The Executive Director of the Department of Finance and Administration shall have the authority to set the salaries of all licensed jet pilots assigned to the Office of Air Transportation within the salary range set by the State Personnel Board. Further, all licensed jet pilots assigned to the Office of Air Transportation Services shall serve at the will and pleasure of the Executive Director of the Department of Finance and Administration.

5.02.6 Compensation for Security Chief Assigned to The Office of the Governor

- A. The Department of Public Safety position assigned as Chief of Security assigned to the Governor's Office shall be paid a salary as set by the Commissioner of Public Safety equal to or lower than the highest paid incumbent currently holding the rank of Captain at the Department of Public Safety and approved by the State Personnel Board.
- B. In no case shall a salary increase awarded as a result of Section 5.02.6 be used as a bench for salary equity adjustments.
- C. The salary of an employee following termination of assignment as Chief of the Governor's Security shall be determined in accordance with the policies and procedures outlined in the Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.

5.03 ALLOCATION OF EMPLOYMENT POSITIONS

State service positions and those non-state service positions under the purview of the State Personnel Board shall be allocated by the State Personnel Director to an appropriate occupational class based on the level and complexity of tasks, duties and responsibilities assigned to that position.

5.03.1 Reallocation of Positions

The State Personnel Board provides for the adjustment in classification of a position through the reallocation process when the State Personnel Board determines that significant job content changes have occurred.

Downward and lateral reallocation requests are processed throughout the year. Upward reallocations are typically requested through the legislative budget process in accordance with the provisions of the Staff Management Planning Instructions for the appropriate fiscal year. However, each agency head shall have the opportunity to

document the need for a non-budgeted reallocation by demonstrating that a bona fide staffing need exists that cannot be adequately addressed through normal budget procedures. The State Personnel Board will consider reallocations outside the legislative process only upon certification by the agency director that adequate funds are available. The submission of any transaction through SPAHRS to the State Personnel Board shall be considered an official request from the agency head or appointing authority. Such transactions shall serve as verification to the State Personnel Board that adequate funding is available.

5.03.2 Upward Reallocations

When requesting an upward reallocation of a filled or vacant position outside the legislative process, the requests must be forwarded in accordance with the policies and procedures outlined in the Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year, and in conformance with the provisions below:

- A. All reallocation requests for filled and vacant positions received by the State Personnel Board will be processed during the month received, unless extenuating circumstances prevent such processing. Agencies should ensure that requests are submitted in a timely manner to allow sufficient time for processing.
- B. All upward reallocations shall be effective on the first day of the month in which the reallocation request is approved.
- C. The authorized salary for upward reallocations shall be in accordance with the provisions for the Promotional Formula indicated in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year. In no case shall the salary of an employee be certified at a salary higher than the end salary of the new classification.
- D. Incumbents of filled positions changing from non-state to state service status must be selected from a Certificate of Eligibles, except where the proposed class is "exempt" from the initial competitive selection process. In addition, reallocation requests for filled positions involving change from state service to non-state service status must be accompanied by a letter signed by the employee indicating agreement with loss of state service status.

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- E. A valid performance appraisal rating shall be required prior to processing the transaction. (Refer to Section 8.40.B.)
- F. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- G. On-site desk audits, conducted by State Personnel Board staff, may be required as a component of the analysis of upward reallocation requests.
- H. Upward reallocation requests must contain the following documentation:
 - 1. Detailed justification which contains the following information:
 - a. Position Identification Number (PIN);
 - b. Current occupational title and occupational code;
 - c. Proposed occupational title and occupational code;
 - d. Status of the position (filled or vacant);
 - e. Explanation of bona fide staffing need;
 - f. Any federal or state regulations, guidelines, case law or statutes which impact action;
 - g. Justification for any change from state service to non-state service. Alternatively, a change from non-state service to state service must be justified. In either case, statutory authority must be cited. [Refer, Section 25-9-107 (c), Mississippi Code of 1972, Annotated, as amended.];
 - h. Description of a substantial change in the position's assigned duties; and
 - i. Description of the consequences of disapproval of the request.
 - 2. Organizational Chart pages, signed by the appointing authority, depicting both current and proposed placement of the position for which reallocation is requested, as well as the placement of other relevant positions;
 - 3. For filled positions, a current (less than twelve (12) months), original Experience and Training Record;
 - 4. A valid Job Content Questionnaire or Role Description Questionnaire (Refer to page 5.F.2);

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5. Copies of any federal or state regulations, guidelines, statutes or case law which may be relevant to the proposed reallocation(s);
6. Additional documentation as may be specified by the State Personnel Director; and
7. A copy of the "reallocation/reclassification" screen generated from SPAHRS.

Note: If the reallocation request must be reviewed by the State Personnel Board, the agency must submit a detailed letter of justification addressed to the State Personnel Director in addition to entering the request into SPAHRS.

5.03.3 Downward or Lateral Reallocations

When requesting the downward or lateral reallocation of a filled or vacant position, the following shall be in effect:

- A. All downward and lateral reallocation requests for filled or vacant positions received by the State Personnel Board on or before the twentieth (20th) day of the month will be processed during the month received, unless extenuating circumstances prevent such processing. All requests received after the twentieth (20th) day of the month shall be processed effective on the first day of the following month.
- B. All lateral or downward reallocations shall be effective on the first day of the month in which the reallocation request is approved.
- C. Lateral and downward reallocation requests must contain the same documentation required for upward reallocations.
- D. The authorized salary for a lateral reallocation of a filled position shall be determined in accordance with the methodology outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- E. The salary authorized for a downward reallocation of a filled position shall be determined in accordance with the methodology outlined in Policy Memorandum

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No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.

- F. In no case will the authorized salary for a lateral or downward reallocation exceed the end salary of the pay range of the job class to which reallocated.
- G. A written acknowledgment signed by the affected employee shall accompany each downward reallocation of a filled position.
- H. Employees shall retain their current status, status date and hire date except as provided in State Personnel Board policies and procedures.
- I. A valid performance appraisal rating shall be required prior to processing the transaction. (Refer to Section 8.40.B.)
- J. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- K. On-site desk audits, conducted by State Personnel Board staff, may be required as a component of the analysis of reallocation requests.
- L. A copy of the "reallocation/reclassification" screen generated from SPAHRS.

5.03.4 Reclassification Authority

A reclassification is a change in the classification of a position to a higher occupational class within the same occupational class series, where the change in job title is a result of the individual obtaining certification or licensure or moving from trainee level to proficiency level. It is the policy of the State Personnel Board to provide for reclassification of a position belonging to a class series by recognizing the increased value of an employee who has acquired additional experience, skills, and/or education which is directly related to this job. Reclassification provides a career ladder affording mobility for qualified individuals to advance to higher classified positions which are substantially similar in the type of work performed. The reclassification authority also allows the agency to reverse the reclassification. Agencies are required to submit requests for reclassification authority to the State Personnel Board for approval prior to the beginning of each fiscal year. Once reclassification authority is approved by the Personnel Board, reclassification actions may be implemented at the discretion of the agency head.

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5.03.5 Reclassification of Positions

When requesting the reclassification of a filled or vacant position, the following shall be in effect:

- A. Employees reclassified to higher levels within a series will retain their current status, status date and hire date in the new classification to which reclassified.
- B. The authorized salary for upward reclassifications shall be in accordance with the provisions for the Promotional Formula indicated in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year. In no case shall an employee's salary be certified at a salary higher than the end salary of the new classification.
- C. A valid performance appraisal rating shall be required for filled positions prior to processing the transaction as requested from the agency. Trainees being reclassified to a proficiency level after six (6) months must have a performance appraisal rating to process the transaction. (Refer to Section 8.40.B.)
- D. SPAHRS will create a new 365-day appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- E. Reclassification requests must contain the following documentation:
 - 1. Organizational chart pages reflecting current and proposed (where applicable) placement of position;
 - 2. Detailed justification must be entered into SPAHRS to indicate that the employee has met all of the criteria outlined in the class specification for the next level. Each request must specify the employee's date of entry into the current position, the date of receipt of license or certification necessary for advancement to the next level, and any other supporting information which aids in the determination that the employee meets the requirements for the next level; and
 - 3. A copy of the "reallocation/reclassification" screen generated from SPAHRS.

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5.04 APPOINTMENTS

Vacancies which are not filled by transfer, promotion, or demotion shall be filled by probationary appointment, reemployment, or emergency appointment. Salaries paid upon appointment shall be the minimum that will attract suitably qualified applicants for job openings consistent with the provisions set forth in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.

5.04.1 Original Appointment and Salary Determination

Original appointments are made competitively from a certificate of eligibles, or are made non-competitively where exempt from the selection process. (Refer to Section 4.0.)

5.04.2 Standard New Hire Salary

At no time will an employee be paid below the federally mandated minimum wage.

Refer to Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year to determine the authorized salary for a new hire.

5.04.3 New Hire Flexibility

New Hire Flexibility, not to exceed ten (10) percent, may be awarded when the education, experience, or professional certification possessed by the applicant exceeds the minimum requirements for the job classification to which appointed.

Refer to Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year for provisions detailing awarding of New Hire Flexibility.

5.04.3a Agency Head Flexibility

Agency Head Flexibility may be awarded to individuals who report directly to the agency head or a key excluded official or advocate substantive agency policy.

Refer to Policy Memorandum No. 2, *Administration of the Variable Compensation Plan* for the current fiscal year for provisions detailing awarding of Agency Head Flexibility.

5.04.4 Recruitment Flexibility

Recruitment Flexibility, in excess of the assigned start salary, may be awarded when an agency can document recruitment difficulties. Requests for Recruitment Flexibility must be submitted for State Personnel Board approval prior to a job offer or appointment of an applicant in accordance with the provisions outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.

5.04.5 New Hire (Competitive) and New Hire Above Start Salary (Competitive)

When hiring personnel to fill a vacancy, the following shall be in effect:

- A. The hire date cannot be earlier than the date of issue of the Certificate of Eligibles.
- B. The salary shall be set in accordance with provisions outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- C. All competitive new hires shall be probationary and the status code "20" will populate in the "service status" field on the Maintain Employee Agency Info screen in SPAHRS.
- D. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- E. The following documentation is to be submitted to the State Personnel Board for a competitive new hire request:
 - 1. A copy of the "Appoint Applicant" screen generated from SPAHRS;
 - 2. The Certificate of Eligibles must be actioned; and
 - 3. Detailed justification must be provided if New Hire Flexibility is requested. (Refer to Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.) After the appointment process is complete, display the action and press F5 to add notes describing the extent to which the employee exceeds the minimum education and/or experience requirements for the occupation.

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- F. Please reference the SPAHRS User Training Workbook, Employment Segment, for more detailed information regarding the hiring of an employee.

5.04.6 Open-Competitive New Hire of a Probationary Employee

When hiring a probationary employee with less than six (6) months continuous state service to a vacant competitive position in state service the following shall be in effect:

- A. The effective date cannot be earlier than the date of issue of the Certificate of Eligibles.
- B. The salary shall be set in accordance with provisions outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- C. The employee shall retain his/her status date and is required to complete the balance of the existing probationary period.
- D. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- E. The following documentation is to be submitted to the State Personnel Board:
 - 1. A copy of the "Appoint Applicant" screen generated from SPAHRS;
 - 2. The Certificate of Eligibles must be actioned; and
 - 3. Detailed justification must be provided if New Hire Flexibility is requested. (Refer to Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.) After the appointment process is complete, display the action and press F5 to add notes describing the extent to which the employee exceeds the minimum education and/or experience requirements for the occupation.
 - 4. Please reference the SPAHRS User Training Workbook, Employment Segment, for more detailed information regarding the hiring of an employee.

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5.04.7 Overlap New Hire (Competitive)/Overlap New Hire (Non-Competitive)/New Hire Flexibility

In rare circumstances, an agency may elect to hire a replacement up to ninety (90) days prior to the termination of an employee in order that the terminating employee may provide specialized training to the new employee.

The effective date of the Overlap New Hire cannot be greater than ninety (90) calendar days from the effective date of separation by the terminating employee.

The following documentation is to be submitted for competitive overlap new hire requests:

- A. A copy of the "Appoint Applicant" screen generated from SPAHRS;
- B. The Certificate of Eligibles must be actioned; and
- C. Detailed justification must be provided if New Hire Flexibility is requested. (Refer to Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.) After the appointment process is complete, display the action and press F5 to add notes describing the extent to which the employee exceeds the minimum education and/or experience requirements for the position.

The following documentation is to be submitted for non-competitive overlap new hire requests:

- A. A copy of the "Appoint Employee w/o COE" screen generated from SPAHRS;
- B. An Experience and Training Record, where required; and
- C. Detailed justification must be provided if New Hire Flexibility is requested. (Refer to Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.) After the appointment process is complete, display the action and press F5 to add notes describing the extent to which the employee exceeds the minimum education and/or experience requirements for the occupation.

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5.04.8 New Hire (Non-Competitive) and New Hire Above Start Salary (Non-Competitive)

When non-competitively hiring to fill a vacant position, the following shall be in effect:

- A. The hire date for an exempt appointment cannot be earlier than the date received by the State Personnel Board; the individual must meet selection criteria.
- B. The hire date for a non-competitive new hire will be the date the individual begins work. The request must be received by the State Personnel Board before or within five (5) working days after the individual begins work.
- C. The authorized salary for a non-competitive new hire shall be set in accordance with provisions outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- D. Appointments to state-service positions for exempt job classes shall be probationary and the status code "20" will populate in the "service status" field on the Maintain Employee Agency Info screen.
- E. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- F. The following documentation is to be submitted for a non-competitive new hire request:
 - 1. A copy of the "Appoint Employee w/o COE" screen generated from SPAHRS;
 - 2. An Experience and Training Record, where required; and
 - 3. Detailed justification must be provided if New Hire Flexibility is requested. (Refer to Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.) After the appointment process is complete, display the action and press F5 to add notes describing the extent to which the employee exceeds the minimum education and/or experience requirements for the occupation.

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5.04.9 New Hire (Part-Time)

The appointment of an individual scheduled to work less than forty (40) hours a week and/or less than 2,087 hours per year constitutes an hourly or part-time appointment. When hiring personnel to fill a part-time position, the following shall be in effect:

- A. The hire date is the date the individual begins work. The request must be received by the State Personnel Board before or within five (5) working days after the individual begins work.
- B. The authorized salary for a part-time new hire shall be in accordance with the provisions outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- C. All part-time employees must meet selection criteria.
- D. All part-time positions shall be non-state service in accordance with Section 25-9-107 (c), Mississippi Code of 1972, Annotated, as amended. The status code "11" will populate in the "service status" field on the Maintain Employee Agency Info screen in SPAHRS.
- E. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- F. The following documentation is to be submitted for a part-time new hire request:
 - 1. A copy of the "Appoint Employee w/o COE" screen generated from SPAHRS;
 - 2. An Experience and Training Record, where required; and
 - 3. Detailed justification must be provided if New Hire Flexibility is requested. (Refer to Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.) After the appointment process is complete, display the action and press F5 to add notes describing the extent to which the employee exceeds the minimum education and/or experience requirements for the occupation.

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5.04.10 New Hire (Time-Limited) and Overlap New Hire (Time-Limited)

- A. The effective date of hire is the date the individual begins work. The request must be received by the State Personnel Board before or within five (5) working days after the individual begins work.
- B. The authorized salary for a time-limited new hire shall be in accordance with the provisions outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- C. All time-limited employees must meet selection criteria.
- D. All time-limited positions shall be non-state service in accordance with Section 25-9-107 (c) (xiv), Mississippi Code of 1972, Annotated, as amended. The status code "14" will populate in the "service status" field on the Maintain Employee Agency Info screen in SPAHRS.
- E. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- F. The following documentation is to be submitted for a time-limited new hire request:
 - 1. A copy of the "Appoint Employee w/o COE" screen generated from SPAHRS;
 - 2. An Experience and Training Record, where required; and
 - 3. Detailed justification must be provided if New Hire Flexibility is requested. (Refer to Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.) After the appointment process is complete, display the action and press F5 to add notes describing the extent to which the employee exceeds the minimum education and/or experience requirements for the occupation.

5.04.11 Emergency Appointment

An emergency appointment is defined as the employment of an individual for a specified period of time to perform tasks which directly or indirectly involve the continuing care and protection of life or property.

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- A. Emergency appointments shall be limited to classes and positions normally filled competitively from a Certificate of Eligibles. The State Personnel Board shall evaluate each request for emergency appointment prior to certification based on the following criteria:
1. Justification provided by agency;
 2. Patient and/or security support;
 3. Number of vacancies in the class within the requesting agency; and
 4. The period of time those vacancies have existed.
- B. The effective date cannot be earlier than the date approved by the State Personnel Board.
- C. The authorized salary for an emergency hire shall be the start salary of the class to which appointed.
- D. Individuals hired on an emergency basis shall be designated by a status code of "12" in the "service status" field on the Maintain Employee Agency Info screen.
- E. An emergency appointment shall not exceed sixty (60) working days. The appointing authority shall be responsible for initiating appropriate action to preclude any emergency appointment extending beyond the limit of sixty (60) working days.
- F. The following documentation must be submitted with an emergency appointment request:
1. Detailed justification outlining the emergency nature of the appointment;
 2. A copy of the "Appoint Employee w/o COE" screen generated from SPAHRS; and
 3. Proof of valid licensure, registration, or certification when required under state or federal statute for the job class to which appointed.

5.04.12 Reappointment (Return from Authorized Leave of Absence)

An individual separated on an authorized leave of absence, e.g., military, extended

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illness, education, and leave of absence under provisions of Sections 25-3-93, 25-3-95, 25-9-125, and 33-1-21, Mississippi Code of 1972, Annotated, as amended, is eligible for reappointment.

When reappointing an employee RETURNING FROM AUTHORIZED LEAVE OF ABSENCE, the following shall be in effect:

- A. Eligibility for reappointment is valid for one (1) year only.
- B. Reappointment under these provisions shall be restricted to the same occupational class as occupied at the time of separation.
- C. Upon reappointment, the employee's status shall be the same as it was at the time of separation and shall be reflected by the status code in the "service status" field and the status date. If the employee was permanent state service at separation, the status date shall not be altered. If the employee had not completed the twelve (12) month probationary period, a new status date shall be determined by adding the number of days out of state service to the status date at the time of separation to allow the individual to complete twelve (12) months of supervised probation.
- D. The effective date shall be the date requested by the agency. The request must be received by the State Personnel Board before or within five (5) working days after the individual begins work.
- E. The authorized salary for a reappointment shall be no more than the current salary at the time of the separation unless general compensation adjustments were effected since the date of the separation. Such adjustments shall be added to the current salary where applicable.
- F. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- G. The following documentation must be submitted with the request for reappointment:
 - 1. A copy of the "Appoint Applicant" screen generated from SPAHRS.

2. Detailed justification which outlines the nature of the reappointment must be provided. After the appointment process is complete, display the action and press F5 to add notes regarding the reappointment.

5.04.13 Reemployment Into the State Service

An individual separated in good standing for reasons other than an authorized leave of absence may be reemployed into the same job class from which terminated.

- A. Individuals reemployed into a different job class from which terminated shall be hired under the provisions for Appointments. (Refer to Section 5.04.)
- B. The appropriate selection criteria shall apply.
- C. The effective date for the employees shall be:
 1. RIF Reemployment List - cannot be earlier than the date the Certificate of Eligibles was issued;
 2. Alternative Reemployment List - cannot be earlier than date the Certificate of Eligibles was issued;
 3. Exempt Class - cannot be earlier than the date received by the State Personnel Board, provided the individual meets selection criteria; and
 4. Non-competitive New Hire - the date the individual begins work. The request must be received by the State Personnel Board before or within five (5) working days after the individual begins work.
- D. The authorized salary for reemployment shall be no more than the current salary at the time of separation unless salary realignments were effected since the date of the separation. Such adjustments shall be added to the current salary where applicable.
- E. Upon reemployment due to a Reduction In Force, the employee's status date and hire date shall be the same as it was at the time of separation. If the employee was permanent at separation, the status date and hire date shall not be altered. If the employee had not fully completed the probationary period, a new status date shall be determined by adding the number of days out of state service to the status date at the time of separation. Reemployment for reasons other than a Reduction In Force shall receive a new status date equal to the new hire date.

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- F. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- G. The following documentation must be submitted with a reemployment request:
 - 1. A copy of the "Appoint Applicant" screen generated from SPAHRS;
 - 2. An actioned Certificate of Eligibles, where applicable; and
 - 3. An Experience and Training Record, where applicable.

5.04.14 Retiree Employment

When requesting the reemployment of a retired state employee, not necessarily returning to the same job class from which retired, and for 1) a period of time not to exceed one-half ($\frac{1}{2}$) of the normal working days for the position during which the employee will receive no more than one-half ($\frac{1}{2}$) of the salary for the position, or 2) for a period of time in any fiscal year sufficient in length to permit a retiree to earn not in excess of twenty-five per cent (25%) of retiree's average compensation (Note: If a retiree is hired outside the guidelines noted above, the retirement benefit of such retiree must be terminated immediately and the employer must immediately begin reporting that individual to PERS as any other active member would be reported.) (Refer, Section 25-11-127, MS Code, Ann., 1972), the following shall be in effect:

- A. The effective date shall reflect a minimum of 45 days from the date of Retirement. PERS Regulation 34 provides that if the retired member is reemployed by the same or another covered employer in any capacity, including that of an independent contractor as well as service without pay, within forty-five (45) days from the effective date of retirement, or is guaranteed such reemployment, the member shall be considered to have continued in the status of an employee and not to have separated from state service.
- B. The authorized salary shall be no more than the salary paid to the individual prior to the employee's retirement, except that the salary shall not exceed the end salary of the pay range of the job class to which appointed.
- C. Upon reemployment of a retired employee, the status and hire date shall reflect the new date of hire and status.

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- D. The employer is required to notify PERS of the reemployment of a retiree under one of the above exceptions within 5 days of reemployment on a Form 4B, Certification/Acknowledgment of Reemployment of Retiree.
- E. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- F. The following documentation must be submitted with reemployment of a retired employee request:
 - 1. A copy of the "Appoint Applicant" screen generated from SPAHRS;
 - 2. An actioned Certificate of Eligibles, where applicable;
 - 3. An Experience and Training Record, where applicable;
 - 4. Detailed justification must be provided which describes the circumstances surrounding the reemployment of a retiree. After the appointment process is complete, display the action and press F5 to add notes.

5.04.15 Dual Employment and Salary Determination

An individual may be employed by more than one state agency or by a state agency and an institution of higher learning in two (2) part-time positions or one (1) full-time and one (1) part-time position. Policies, rules, and procedures governing appointments shall apply.

Under Fair Labor Standards Act (FLSA) regulations, the State of Mississippi is considered to be one employer. Therefore, eligible (non-exempt) employees who work for two entirely different agencies in state government in the same workweek are considered joint employees, and must be paid overtime or must be provided compensatory time off for a combination of hours worked in excess of forty (40) hours. Overtime payment or provision of compensatory time should be computed according to current FLSA rules issued by the U. S. Department of Labor.

The following documentation must be submitted with a dual employment request:

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- A. A copy of the "Appoint Applicant" screen generated from SPAHRS;
- B. An actioned Certificate of Eligibles, where applicable; and
- C. An Experience and Training Record, where applicable.

5.05 IN-SERVICE MOVEMENT

The State Personnel Board will provide rules for in-service movement of employees within state service employment [Refer, Section 25-9-119 (2) (c) (i) (ii), Mississippi Code of 1972, Annotated, as amended.]

5.05.1 Promotions

Promotions may be made in one (1) of three (3) ways subject to approval of the State Personnel Director: (Refer to Sections 4.21.6 - 4.21.8.)

- A. Agency-only competitive;
- B. Agency-only non-competitive; and
- C. State service competitive.

5.05.11 Promotion (Intra-Agency)

When requesting the promotion (within agency/master agency) of a state service employee who has satisfactorily completed six (6) months of service, the following shall be in effect:

- A. All promotions (intra-agency) shall be effective on the first day of the month. The request must be received before the twentieth (20th) day of the requested effective month. All requests received after the twentieth (20th) day of the month shall be processed effective the first day of the following month.
- B. The authorized salary for promotions (intra-agency) shall be in accordance with the Promotional Formula outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- C. A valid performance appraisal rating shall be required prior to processing the transaction. (Refer to Section 8.40.B.)

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- D. Employees promoted retain current status date and hire date in the new position to which promoted.
- E. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- F. The following documentation is to be submitted with an intra-agency promotion request:
 - 1. A copy of the "Intra Agency Employee Transfer" screen generated from SPAHRS; and
 - 2. An Experience and Training Record if a non-competitive promotion.

5.05.12 Promotion (Inter-Agency)

When requesting the promotional transfer (inter-agency) of a state service employee the following shall be in effect:

- A. The requested effective date must coincide to reflect no break in service and may be as follows:
 - 1. Competitive State Service - effective any time during the month provided it is not earlier than the date the Certificate of Eligibles was issued;
 - 2. Exempt - cannot be earlier than the date the request was received by the State Personnel Board provided the individual meets selection criteria;
 - 3. Non-Competitive New Hire - the date the individual begins work. The request must be received by the State Personnel Board before or within five (5) working days after the individual begins work.
- B. The authorized salary for promotions (inter-agency) shall be in accordance with the Promotional Formula outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- C. Employees promoted retain their current status date and hire date in the new position to which promoted.
- D. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)

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- E. The following documentation is to be submitted with a promotion request:
1. A copy of the "Appoint Applicant" screen generated from SPAHRS;
 2. A Certificate of Eligibles if a competitive promotion; and
 3. An Experience and Training Record if a non-competitive promotion.
- F. If the transferring agency does not submit a transaction indicating the separation of an employee, the State Personnel Board shall separate the incumbent from the transferring agency and shall provide the transferring agency with notification of the separation.

5.05.2 Lateral Transfers

5.05.21 Lateral Transfer (Intra-Agency)

When requesting the lateral transfer (within agency/master agency) of a state service employee to a position in state service, the following shall be in effect:

- A. All lateral transfers (intra-agency) shall be effective on the first day of the month.
- B. The authorized salary for lateral transfers (intra-agency) shall be in accordance with the policies and procedures outlined in Policy Memorandum No.2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- C. A valid performance appraisal rating shall be required prior to processing the personnel transaction. (Refer to Section 8.40.B.)
- D. Employees laterally transferred retain their status date and hire date in the new position to which transferred.
- E. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- F. The following documentation is to be submitted with a lateral transfer (intra-agency) request:

To the same occupational class:

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1. A copy of the "Intra-Agency Employee Transfer" screen generated from SPAHRS.

To a different occupational class:

1. A copy of the "Intra-Agency Employee Transfer" screen generated from SPAHRS;
2. The actioned Certificate of Eligibles, where applicable; and
3. An Experience and Training Record, where applicable.

5.05.22 Lateral Transfer (Inter-Agency)

When requesting the lateral transfer (inter-agency) for a state service employee to a competitive or non-competitive position in state service, the following shall be in effect:

- A. The requested effective date may be as follows:
 1. Competitive State Service - effective any time during the month provided it is not earlier than the date the Certificate of Eligibles was issued;
 2. Exempt - Cannot be earlier than the date received by the State Personnel Board provided the individual meets selection criteria;
 3. Non-Competitive New Hire - the date the individual begins work. The request must be received by the State Personnel Board before or within five (5) working days after the individual begins work.
- B. The authorized salary for lateral transfers shall be determined in accordance with the methodology outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- C. Employees laterally transferred retain current status date and hire date in the new position to which transferred.
- D. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- E. The following documentation is to be submitted with the lateral transfer (inter-agency) request:

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To the same occupational class:

1. A copy of the "Appoint Applicant" screen generated from SPAHRS.

To a different occupational class:

1. A copy of the "Appoint Applicant" screen generated from SPAHRS;
2. The actioned Certificate of Eligibles, where applicable; and
3. An Experience and Training Record, where applicable.

- F. If the transferring agency does not submit a termination indicating an employee's transfer, the State Personnel Board shall separate the incumbent from the transferring agency and shall provide the transferring agency with notification of the separation.

5.05.3 Demotional Transfers

An employee may be demoted because of inadequate performance, disciplinary reasons, a reduction in force, or voluntarily. When the affected employee is a permanent state service status employee, written notice of intent to effect any demotion and the reason for such action shall be given to the employee at least ten (10) working days prior to the effective date of the demotion. All actions adversely affecting compensation or employment status require that the permanent state service status employee be given an opportunity for a conference with the appointing authority or designated representative and to respond in writing prior to any such action.

5.05.31 Demotional Transfer (Intra-Agency)

When requesting the demotional transfer (intra-agency) of an employee (voluntary or for cause), the following shall be in effect:

- A. All demotions (intra-agency) shall be effective on the first day of the month.
- B. Determination of salary for a demotional (intra-agency) transfer shall be in accordance with the policies and procedures outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- C. A valid performance appraisal rating shall be required prior to processing the transaction as requested from the agency. (Refer to Section 8.40.B.) Rev.7/03

- D. Employees demoted retain status date and hire date in the new position to which demoted.
- E. SPAHRS will create a new 365 day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- F. The following documentation is to be submitted with a demotional transfer (intra-agency) request:
 - 1. A copy of the "Intra-Agency Employee Transfer" screen generated from SPAHRS;
 - 2. An Experience and Training Record;
 - 3. A statement signed by the employee acknowledging the demotion; and
 - 4. Detailed justification must be provided if demotion with extraordinary circumstances is requested. After the demotion process is complete, display the action and press F5 to add notes describing the need to retain the employee's current salary.

5.05.32 Demotional Transfer (Inter-Agency)

When requesting a demotional transfer (inter-agency), the following shall be in effect:

- A. The requested effective date shall be as follows:
 - 1. Competitive State Service - effective any time during the month provided it is not earlier than the date the Certificate of Eligibles was issued;
 - 2. Exempt - cannot be earlier than the date received by the State Personnel Board provided the individual meets selection criteria;
 - 3. Non-Competitive Appointment - the date the individual begins work. The request must be received by the State Personnel Board before or within five (5) working days after the individual begins work.

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- B. Determination of salary for a demotional (inter-agency) transfer shall be in accordance with the policies and procedures outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.
- C. Employees transferred and demoted retain their status date and hire date in the new position to which transferred and demoted.
- D. SPAHRS will create a new 365-day performance appraisal period beginning the effective date of the personnel transaction. (Refer to Section 8.40.B.)
- E. The following documentation is to be submitted with a demotional transfer (inter-agency):
 - 1. A copy of the "Appoint Applicant" screen generated from SPAHRS;
 - 2. The actioned Certificate of Eligibles, where applicable; and
 - 3. An Experience and Training Record, where applicable.
- F. If the transferring agency does not submit a termination indicating an employee's transfer, the State Personnel Board shall separate the incumbent from the transferring agency and shall provide the transferring agency with notification of the separation.

5.05.4 Dual Transfer (Intra-Agency)

When transferring positions between two current employees, the applicable preceding policies, rules and procedures governing promotions, lateral transfers, and/or demotions shall apply.

5.06 DETAIL TO SPECIAL DUTY

When the services of an employee are temporarily needed in a position within the employing agency other than the position to which regularly assigned, the employee may be required, at the discretion of the appointing authority, to perform the tasks of such a position for a period not to exceed 180 days without a change in position title or employee status.

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- A. A probationary employee in a state service position assigned to special duty shall not be required to serve an additional probationary period.
- B. When an employee is assigned the duties of a position that is in an equal or higher pay range, a temporary salary award up to ten percent (10%) above the current salary may be awarded when justified and approved by the State Personnel Director. The position to which the employee is being detailed must be vacant or filled by an incumbent who is not available for duty due to an authorized leave.
- C. Employees being detailed to vacant positions shall be limited to 180 days. In unusual circumstances, a detail beyond 180 days may be authorized by the State Personnel Director upon written request by the appointing authority.
- D. If an employee is being detailed to a filled position, the incumbent of the filled position must have been absent for at least thirty (30) days prior to the request for detail. In extraordinary circumstances, the agency may request State Personnel Director approval of actions which do not meet this 30-day requirement. Employees being detailed to filled positions shall be limited to 180 days. In unusual circumstances, a detail beyond 180 days may be authorized by the State Personnel Director upon written request by the appointing authority.
- E. Any salary increase certified for special duty shall be withdrawn upon completion of special duty.
- F. No more than one (1) employee may be awarded Detail to Special Duty Pay for assuming the responsibilities and functions of a single position.
- G. The following documentation is to be submitted to the State Personnel Board with a Request for Detail to Special Duty:
 - 1. Detailed justification which indicates the position to which the employee is being detailed and the duties to be assigned while performing in the detail capacity;
 - 2. A statement from the employee acknowledging the temporary salary increase and the subsequent salary withdrawal upon completion of special duty;

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3. Organizational chart pages, signed by the appointing authority, depicting both the employee's position and the position to which the employee will be detailed; and
4. A copy of the "Maintain Position Information" screen generated from SPAHRS.
5. Please reference the SPAHRS User Training Workbook, Employment Segment, for more detailed information regarding the submission of Detail to Special Duty Pay requests.

5.07 ADMINISTRATION OF ADDITIONAL COMPENSATION SCHEDULES

The State Personnel Board shall establish and administer additional compensation schedules to accommodate the full and efficient operation of an agency in the delivery of essential services within or outside of the standard work schedule or the standard work place.

5.07.1 Application of Additional Compensation

In accordance with Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year, the State Personnel Director may recommend to the State Personnel Board those occupational classes certified for payment under provisions governing additional compensation. The State Personnel Director, with the approval of the State Personnel Board, shall amend additional compensation schedules based upon evaluation of labor market conditions and the economic value of comparable services within relevant public sectors and the relevant private labor market, if any.

5.07.2 Agency Authorization for Additional Compensation

- A. To request authorization of additional compensation, the appointing authority shall submit a letter to the State Personnel Director fully explaining and justifying the request.
- B. Determination as to agency authorization for additional compensation shall be subject to approval by the State Personnel Board.

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5.07.3 Certification of Employees for Additional Compensation

The appointing authority shall indicate in SPAHRS those positions to be certified payment of additional compensation and of the need to decertify employees no longer working under the conditions set forth in the provisions governing additional compensation.

5.07.4 Occupational Class Authorization or Rescindment of Additional Compensation

- A. The appointing authority shall indicate in SPAHRS which occupational classes are necessary to accommodate the full and efficient operation of the agency in the delivery of essential services within or outside the confines of the standard work period and the standard work schedule as defined below:
- Standard work period: an eight (8) hour work day, a forty (40) hour work week, a 173.929 hour work month, and a 2,087.143 hour work year.
 - Standard work schedule: the hours of work established by an appointing authority for individuals employed within the agency which typically begin at 8:00 a.m. and end at 5:00 p.m. each day with a one (1) hour interval for a lunch period.
- B. Any position change affecting the classification of a position certified for additional compensation will cause the certification to be automatically removed from the position.
- C. Where certification is required as a prerequisite for authorization of additional compensation for an occupational class, the agency is responsible for verifying receipt of certification by the individual for which additional compensation is requested and indicating in the SPAHRS payroll segment the hours worked which qualify for additional compensation.
- D. An individual shall not be certified to receive more than three (3) types of additional compensation during a single pay period.

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5.07.5 Forms of Additional Compensation

Forms of Additional Compensation administered by the State Personnel Board may include the following:

Pilot's Pay • PILOT • \$50 per month

Paid to individuals in a designated occupational class whose primary duties do not include piloting an aircraft, but who are requested by the appointing authority to pilot an aircraft as a part of assigned tasks.

Extensive Travel • EXTVL • \$400.00 per month

Paid to individuals in a designated occupational class who are required by the appointing authority to travel at least eleven (11) work nights per month on a continuous basis.

Standby • STAND • 1/10 hourly rate for hours on call
Health on Call • HLTST • up to 1/10 hourly rate for hours on call

Paid to individuals in a designated occupational class who are required by the appointing authority to remain available after regularly assigned working hours to provide emergency services which are restricted to the care, preservation, and protection of life and property. (Refer to Glossary.)

Call Back • CALBK • Standard hourly rate for hours worked over standard work period.

Paid to individuals in a designated occupational class who are required by the appointing authority to return to work after regular hours to perform emergency services which are restricted to the care, preservation, and protection of life and property. (Refer to Glossary.)

Public Safety- Highway Patrol Call Back Overtime Pay
• HWYSF • 1.6 times the hourly rate

Paid to individuals for hours worked outside the scheduled work period or for hours worked over 171 in a 28-day period.

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Fire • FIREP • \$25.00 per month

Paid to individuals in a designated occupational class, within an institution which provides a service twenty-four (24) hours a day, whose primary duties do not include fighting fires, but who are requested by the appointing authority to put out or prevent potential fires occurring on the institution grounds as a **part** of assigned tasks.

Constable • CONST • 5% of base salary

Paid to individuals in a designated occupational class, within an institution which provides a service twenty-four (24) hours a day, who are required by the appointing authority to carry a gun, and are granted police powers within the confines of the institution. Possession of certification from Law Enforcement Training Academy is required.

Shift Differential - Always Evening • CALEN • 10% of base salary

Paid to individuals in a designated occupational class, within a department agency or institution which provides a service twenty-four (24) hours a day, who always work the evening shift usually from 4:00 p.m. to 12:00 a.m. on a continuing basis. (Refer to Glossary.)

Shift Differential - Usually Evening • EVENG • 10% of base salary

Paid to individuals in a designated occupational class, within a department, agency or institution which provides a service twenty-four (24) hours a day, who typically (but not always) work the evening shift usually from 4:00 p.m. to 12:00 a.m.

Shift Differential - Always Night • CALNT • 15% of base salary

Paid to individuals in a designated occupational class, within a department, agency or institution which provides a service twenty-four (24) hours a day, who always work the night shift usually from 12:00 a.m. to 8:00 a.m. on a continuing basis. (Refer to Glossary.)

Shift Differential - Usually Night • NIGHT • 15% of base salary

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Paid to individuals in a designated occupational class, within a department, agency or institution which provides a service twenty-four (24) hours a day, who typically (but not always) work the night shift usually from 12:00 a.m. to 8:00 a.m.

Detail to Special Duty Pay • SPDTY • 10% of base salary

Paid to individuals in a designated occupational class who are required by the appointing authority to perform temporary duties other than those regularly assigned. (Refer to Glossary.)

Type/Duty/Location Pay • TDLXX* • Variable percentage of base salary

Paid to individuals in a designated occupational class when critical recruitment or employee retention problems are recognized in a specific location.*Refer to additional compensation help screen in SPAHRS for the TDL code for each geographic location.

5.08 SPECIAL COMPENSATION PLANS

The State Personnel Board may establish, maintain, and amend special compensation plans within the Variable Compensation Plan to compensate employees within selected occupational classes based on a demonstrated inability to compete satisfactorily for employees in terms of pay or availability. Only special compensation plans reviewed prior to the start of the fiscal year and approved by the State Personnel Board for implementation or continuation during the fiscal year shall be certified.

When requesting a salary increase under a special compensation plan, the following shall be in effect:

1. The requested effective date of a salary increase shall be the first day of the requested month.
2. The new salary after award of an increase through a special compensation plan should correspond to the plan's salary scale and the incumbent's experience level.

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3. Please reference the SPAHRS User Training Workbook, Employment Segment (Change Compensation) for more detailed information regarding salary increases through special compensation plans.

5.10 COOPERATIVE EDUCATION COMPENSATION PLANS

Upon request by appointing authorities, the State Personnel Board may establish and maintain compensation plans to remunerate individuals enrolled in designated fields of study at institutions of higher learning, junior colleges, community colleges, or technical schools who alternate between intervals of state service or non-state service employment followed by unpaid intervals during training for the designated occupational class.

5.11 EDUCATIONAL BENCHMARKS

The State Personnel Director is authorized to approve requests to award educational benchmark increases on a case by case basis, in accordance with policies and procedures outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.

When requesting an educational benchmark award, the following shall be in effect:

- A. All requests for educational benchmark awards received by the State Personnel Board will be processed during the month received, unless extenuating circumstances prevent such processing. Agencies should ensure that requests are submitted in a timely manner to allow sufficient time for processing.
- B. The following documentation is to be submitted with an educational benchmark request:
 1. A copy of the Degree, Certification, Licensure or Certificate; and
 2. A screen print of the "Educational Benchmark" screen generated from SPAHRS.

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- C. Please reference the SPAHRS User Training Workbook, Employment Segment (Change Compensation) for more detailed information regarding requests for educational benchmark.

5.12 PAY RANGE REALIGNMENT

The State Personnel Board shall recommend to the Legislature the realignment of pay ranges in recognition of economic changes in the prevailing pricing of manpower for a job category within the relevant labor market. The purpose of realignment is to determine a competitive salary range for each occupational class.

5.12.1 Appropriated Realignment

The State Personnel Director shall determine and recommend the appropriate realignment of pay ranges for an occupational class to the State Personnel Board. The State Personnel Board shall make recommendations to the Legislative Budget Office and the Department of Finance and Administration regarding pay range realignment [Refer, Section 25-9-133 (1), Mississippi Code of 1972, Annotated, as amended.] The Legislative Budget Office and the Department of Finance and Administration forward the recommendations to the Legislature and the Governor as a part of the annual appropriations process.

Realignment of pay ranges must be appropriated within the legislative budget process. Realignment shall be awarded in accordance with the policies provided in the Promotional Formula outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year.

5.12.2 Non-Appropriated Realignment

Each agency head shall have the opportunity to document the need for non-appropriated realignment by demonstrating that a bona fide staffing need exists which cannot be adequately addressed through the normal budget procedures. The State Personnel Board may authorize realignments necessary to fill the staffing need only upon certification by the agency director that adequate funds are available. In such instances, the agency must provide salary survey data compiled from an acceptable relevant labor market and must justify that delayed implementation of the regular

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realignment would seriously threaten critical agency services. Where more than one agency utilizes a job class proposed for non-appropriated realignment, all affected agencies must certify their acceptance of the realignment. Implementation of salary increases authorized under this section are at the discretion of the appointing authority.

5.12.3 Award of Non-appropriated Realignment

When requesting realignment, the following shall be in effect:

- A. The effective date of the award of realignment shall be the first day of the requested month. The request must be received by the first day of the requested month for presentation to the State Personnel Board.
- B. The authorized salary awarded for realignment shall be in accordance with policies provided in the Promotional Formula outlined in Policy Memorandum No.2, *Administration of the Variable Compensation Plan*, for the current fiscal year, but, in no case shall it be more than the Realigned Maximum (Rlgn Max) salary.
- C. Upon approval of realignment by the State Personnel Board, SPB staff will update the starting and ending salary for the occupational classification(s). Any changes to the salaries of individual employees shall be made by the requesting agency through the SPAHRS Employment Segment (Change Compensation).

5.13 PRODUCTIVITY

Productivity increases are performance based salary increases awarded at the discretion of the agency director and management. Productivity allows an agency director to reward excellence among agency employees. Productivity awards must be thoroughly documented by current performance evaluations and are awarded in accordance with policies and procedures outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year, if the Legislature appropriates specified funds for this purpose.

Please reference the SPAHRS User Training Workbook, Employment Segment (Change Compensation) for more detailed information regarding requests for productivity increases.

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5.14 LONGEVITY

Longevity awards are lump sum payments awarded to employees who have reached the maximum salary (end salary) for their respective job classes. Longevity payments are awarded in accordance with policies and procedures outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year, if the Legislature appropriates specified funds for this purpose.

5.15 EMPLOYER REQUIREMENTS UNDER THE FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED (FLSA)

The Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 201 and following (FLSA), is a federal law which is applicable to all state agency employers. The FLSA provides that all covered, or non-exempt, employees must be paid at least a minimum wage, and must be paid at the rate of 1-1/2 times or time-and-a-half, their regular rate of pay for each hour over forty (40) worked during a single workweek. State agency employers may, in lieu of cash payment for overtime, pay their non-exempt employees in compensatory time at the rate of 1-1/2 hours for each hour over forty (40) worked during a single workweek. Police and firefighters, emergency response personnel, and employees engaged in seasonal activities may accrue up to 480 hours of compensatory time. Other non-exempt employees may only accrue up to 240 hours of compensatory time. After a non-exempt employee has accrued the maximum amount of compensatory time, the employer is required to pay the employee overtime for the additional overtime hours worked in cash.

A public employer may require a non-exempt employee requesting leave to exhaust a FLSA compensatory leave balance prior to use of annual leave, and a public employer may compel a non-exempt employee to use compensatory time and take time off work in order to reduce a compensatory time balance below the 480 or 240 hour thresholds.

There are certain exemptions and partial exemptions from the FLSA, including an exemption from both the minimum wage and overtime requirements for employees whose jobs can be classified as bona fide executive, administrative, or professional. The FLSA also regulates the employment of minors and requires employers to keep certain records on their employees.

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The U. S. Department of Labor (DOL) is responsible for the enforcement of the FLSA, and may investigate and gather data concerning wages, hours, and other employment practices. For assistance in complying with the FLSA, state agency employers may contact the area office of the Wage and Hour Division of the DOL.

The federal regulations governing FLSA applicable to the state agency employers in the area of compensatory time are contained in the Appendix. All other FLSA regulations may be found in the Code of Federal Regulations, 29 C.F.R. § 500.

When requesting authorization under FLSA for payment of overtime compensation to non-exempt employees, the following shall be in effect:

- A. Each agency must petition the State Personnel Board and be approved to receive overtime compensation.
- B. Each occupational class to receive overtime compensation must receive prior approval by the State Personnel Board.
- C. Overtime compensation requests for each individual must be received prior to the requested effective month, and in all cases prior to payroll submission.
- D. Each position authorized for FLSA overtime must be coded "N" in the Position Segment (Manage Position) of SPAHRS before overtime compensation can be paid.

5.16 EMPLOYEE DATA CHANGES

When requesting changes to employee data, the following shall be in effect:

- A. Employee data changes include changes in social security number, last name, first name, middle name, evaluation code, date of birth, race, sex, handicap, years of education, agency hire date, pin entry date or status date.
- B. Supporting documentation may be required in changing date of hire, PIN entry date, status date, social security number and performance appraisal rating.
- C. A copy of the appropriate screen should be generated from SPAHRS.

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5.17 SEPARATIONS

- A. The State Personnel Board shall accept separation/termination as a result of one (1) of the nineteen (19) reasons indicated below:

1. Code DH (Death)

Separation of an employee due to death.

2. Code DS (Dismissed)

A probationary employee may be dismissed at any time during the probationary period. The dismissal of a permanent state service employee may be for cause as a result of disciplinary actions and/or group offenses or may be due to inadequate job performance. (Refer to Sections 8.0 and 9.0.)

3. Code LE (Leave of Absence - Education Reasons)

Employee on authorized leave in order to complete degree requirements and/or obtain other higher level certification.

4. Code LF (Leave of Absence - Family & Medical Leave Act)

Employee on authorized leave which is covered under the Family Medical Leave Act (FMLA).

5. Code LH (Leave of Absence - Health Reasons)

Employee on authorized leave (not under FMLA) due to health reasons.

6. Code LM (Leave of Absence - Military Reasons)

Employee on authorized leave to serve in the military for an unspecified period of time.

7. Code LO (Leave of Absence - Other)

May indicate separation of an employee due to expiration of funds.

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8. Code NR (Did Not Report)

An employee who fails to report to the job site on the initial appointment is considered separated.

9. Code OT (Other - Seasonal Employees)

May indicate separation of an employee due to seasonal employment (i.e., fire seasons, etc.).

10. Code RA (RIF, Intra-Agency Transfer [Within Master AG])

Indicates that an employee is being transferred to another position or agency under the same master agency due to a Reduction in Force.

11. Code RE (RIF, Inter-Agency Transfer [Not in Master AG])

Indicates that an employee is being transferred to another agency not within the same master agency due to a Reduction in Force.

12. Code RF (RIF, Reduction in Force)

Indicates that the employee is being separated due to a Reduction in Force.

13. Code RL (Resigned - Leaving State Government)

An employee who is resigning from service should submit a written resignation to the appointing authority at least ten (10) working days before the final working day.

14. Code RT (Retired)

If a permanent state service employee is retired under the Public - Employees' Retirement Law, the individual is considered as separated.

15. Code TA (Transfer - Appropriation Bill Mandated)

Employee is transferred due to legislative mandate.

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16. Code TF (Transfer - DFA Approved Position Transfer)

Employee is transferred as approved by the Department of Finance and Administration.

17. Code TI (Transfer - Intra-Agency Position Transfer [Swap])

Employee is transferred to another agency within the same master agency.

18. Code TP (Transfer - Inter-Agency [Not In Master Agency])

Employee is transferred to another agency not within the same master agency.

19. Code TR (Transfer - Intra-Agency [Within Master Agency])

Employee transferred to a different employment position within the same or another state government agency either under or not under State Personnel Board authority.

- B. The effective date of the separation shall be the last day the employee worked or utilized authorized leave.

5.18 DELEGATION OF REALLOCATION AND REORGANIZATION AUTHORITY

5.18.1 Purpose and Authority

In accordance with Sections 25-9-101 et seq. of the Mississippi Code of 1972, Annotated, as amended, the State Personnel Board, as the governing authority for the statewide personnel system authorizes the State Personnel Director to enter into formal agreements with department executive directors and agency directors in which employment positions within their agencies may be reallocated and organization charts amended without prior State Personnel Board approval; provided, however, that such agreements shall be revocable by the State Personnel Board and continuation shall be contingent upon the reallocations and reorganizations being conducted in accordance with rules and regulations promulgated by the State Personnel Board. In the event the State Personnel Board has delegated reallocation authority to an agency, this

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delegation does not remove the requirement that agencies submit personal services budget requests each fiscal year for the purpose of preparing personal services continuation budget projections. Such budget requests shall be prepared in accordance with the policies, rules and regulations promulgated by the Department of Finance and Administration, the Legislative Budget Office and the State Personnel Board. Prior to making any reallocation or reorganization effective, each appointing authority who has entered into an agreement as provided herein shall certify to the State Personnel Board that the total annualized cost of any reallocation or reorganization, shall be equal to or less than the cost savings generated through downward reallocation or position abolishment of vacant positions.

The Personnel Board will maintain a record of every personnel transaction executed pursuant to any agreement as provided herein and will annually report the total cost of these transactions, by agency, to the Legislative Budget Office and the Department of Finance and Administration.

The State Personnel Director shall perform, or cause to be performed, a compliance audit and evaluation of personnel transactions executed under the authority delegated pursuant to said agreement, and to publish a report of the audit listing exceptions taken by the State Personnel Director not later than the first of October each year. In the event the State Personnel Board determines that an agency has misclassified an employee or position as a result of this delegated authority, the State Personnel Board will correct such misclassification regardless of the state service status of the employee holding such position. Authority to correct such misclassifications of filled positions shall be limited to one (1) year from the date which the State Personnel Board receives written notice of the reallocation."

5.18.2 Overview

The authority to reallocate employment positions carries with it the demand that rigid professional standards be applied in order to maintain and administer an equitable statewide job classification plan. Reallocations are valid only when the duties and responsibilities of an employment position have sufficiently changed such that its current job classification is no longer accurate and another job classification more accurately depicts the duties and responsibilities of the position. Reallocations are not substitutes for promotions or tools to secure salary increases for selected individuals. They are to be performed only when supported by objective job analysis.

The criteria for delegated reallocation agreements set forth below are designed to

encourage consistent management of the reallocation delegation program while promoting an efficient, effective and uniform statewide job classification system.

5.18.3 Formal Agreements

Upon authorization from the State Personnel Board, the State Personnel Director may enter into formal reallocation and reorganization delegation agreements with state agency directors. These agreements shall be in writing and shall be signed by the State Personnel Director and the agency director requesting the delegated authority. They shall contain such terms and conditions deemed appropriate by the State Personnel Director.

The agreements may include authorization for the delegation of reallocation authority alone or delegation of reallocation authority along with the authority to amend organizational charts. In order to assure correct organizational placement of job classifications and to assure the validity of State Personnel Board budget recommendations made to the Legislature, delegation of the authority to amend organizational charts shall be approved only for those agencies in which reallocation authority has been delegated.

Authorization by the State Personnel Board for its director to enter into delegated reallocation or delegated reorganization agreements shall also carry with it the

authority for the State Personnel Director to modify, suspend or terminate reallocations or reorganization delegation agreements.

Delegation agreements may be revoked upon a finding that the delegate agency failed to uphold its responsibility in the formal agreement or failed to comply with State Personnel Board policies, procedures and guidelines. All salary setting provisions as outlined in Policy Memorandum No. 2, *Administration of the Variable Compensation Plan*, for the current fiscal year, shall remain in effect for delegate agencies.

5.18.4 Staff Requirements and Training

Agencies desiring delegated reallocation authority must designate among their personnel staff one primary job analyst and one alternate job analyst. Prior to assuming delegated reallocation authority, these designated job analysts shall receive training by the State Personnel Board in job analysis, job classification, and organizational development concepts as well as State Personnel Board policies and procedures.

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All delegated reallocations must be recommended and endorsed by the primary job analyst on the basis of a thorough and independent review of all relevant data.

- A. The primary job analysts must be available to devote their full time and effort to their job analysis duties. They may be assigned other duties collateral to their primary job analysis responsibilities; however, whenever they are to be engaged in their job analysis duties they shall not be assigned other duties outside the scope of job analysis.
- B. The primary and alternate designated job analysts must attend initial training and follow-up training conducted by the State Personnel Board staff. If for any reason the primary analyst cannot attend follow-up training, the alternate must attend the scheduled training. In such case, the primary analyst must schedule a make-up training session with the State Personnel Board Office of Classification and Compensation within thirty (30) days of the regularly scheduled training which was missed.
- C. Failure to attend job analysis training or to make up missed training as specified above shall result in the suspension or cancellation of the delegation agreement. Failure to pass any written examinations may result in the disqualification of the designated job analyst and suspension of the delegation agreement.
- D. The primary job analyst shall be a Personnel Officer I-V with at least two (2) years of personnel or human resources experience. In agencies without Personnel Officers, the Personnel Board may permit other related job classes to perform job analysis work, but there shall be no substitution for the experience requirement.
- E. The alternate job analyst may be in any personnel job classification or professional administrative job class, subject to State Personnel Board approval. However, if in the judgement of the State Personnel Director an agency has insufficient personnel support staff and job classification expertise to conduct valid job analysis, the State Personnel Director may refrain from entering into a delegation agreement.
- F. In agency personnel offices with a Personnel Director and at least one Personnel Officer, the subordinate Personnel Officer may be designated as the primary job analyst. No supervisor of the Personnel Director, or their supervisors, shall be designated as a job analyst.

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- G. Agency Personnel Directors and management must agree not to influence the judgement of the designated job analyst and must provide assurance to the job analyst and the State Personnel Board that absolutely no retaliation, direct or indirect, shall result if the job analyst's judgement in a reallocation action is contrary to management's preferences.
- H. Upon transfer or termination of the primary job analyst, delegated reallocation authority shall be suspended until his or her replacement completes initial training.
- I. If an agency has been delegated authority to amend organizational charts, the agency-designated job analysts shall advise the Personnel Director and agency management on State Personnel Board rules, regulations, guidelines and procedures concerning organizational issues.

5.18.5 Job Classifications Authorized for Delegated Reallocations

Delegate agencies shall be authorized to reallocate employment positions to those classes in the current State Personnel Board job inventory with the exception of classes which are denoted in their title or the class specification as being unique to particular agencies. The State Personnel Director may also require that reallocations be suspended in particular job classifications if those job classifications are undergoing revision by the State Personnel Board.

5.18.6 Documentation and Record Keeping

- A. Only those reallocations which are fully justified by an objective job analysis and fully documented according to these procedures shall be considered valid by the State Personnel Board.
- B. Delegate agencies shall establish a central PIN reallocation file for each PIN which is reallocated pursuant to delegation authority. Refer to "Required Documentation Retained by Agencies under Delegation Authority", Section 5.18.11, and these policies for a description of the documentation required to be completed and retained by the agency in their PIN reallocation file.
- C. All documentation associated with a delegated reallocation shall be filed and retained by the delegate agency for a period of five (5) years from the effective date of the reallocation. This requirement shall apply whether the reallocation is ultimately approved or not.

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- D. The reallocation request shall be submitted in conformance with established procedures for submission of all lateral, downward or upward reallocations. In addition, the agency must provide detailed justification which must contain the following information:
1.
 - a. Position Identification Number (PIN);
 - b. Occupational title and occupational code from which reallocated;
 - c. Occupational title and occupational code to which reallocated;
 - d. Status of position (filled or vacant);
 - e. Total annualized cost (12 calendar months) of the reallocation.
 2. Copy of the agency's organizational chart(s) depicting the current placement of the PIN(s).
- E. The State Personnel Board Job Content Questionnaire (JCQ) or Role Description Questionnaire (RDQ) shall be the primary instrument for recording the job analysis data in support of a reallocation. The JCQ or RDQ must be complete and legible. No other form shall substitute for the State Personnel Board JCQ.
- F. If a filled position is to be reallocated, an original Experience and Training Record must be submitted to the State Personnel Board for evaluation in order to assure the incumbent meets the minimum qualifications of the job **prior to submitting the personnel transaction for processing.**
- G. For those agencies who have been granted authority to amend organizational charts, the delegate agency's most current, complete, and valid organizational chart shall be on file and readily available to designated agency job analysts and State Personnel Board auditors.

5.18.7 Audits

- A. The State Personnel Board staff shall perform audits of delegate agencies to ensure that only fully justified reallocations are performed. The staff shall use "Required Documentation Retained by Agencies under Delegation Authority", (Refer to Section 5.18.11.) as their basic guide when conducting audits of reallocations. Desk audits of reallocated positions may also be conducted by the audit team. However, the audit team shall be alert to any practice or action which is contrary to sound public personnel management or job analysis practice.

- B. Those agencies which have been delegated authority to amend their organizational chart shall have the most recent, complete, and valid organizational chart available for inspection by State Personnel Board auditors. In addition, delegate agency employees shall be available for desk audits and performance appraisal documentation shall be available to verify organizational placement.
- C. Failure to comply with State Personnel Board policies, procedures, and guidelines, shall result in corrective action including the reversal of erroneous reallocations, and may result in suspension, termination, or modification of the delegation agreement by the State Personnel Director. The State Personnel Director shall, whenever possible, take informal remedial steps with delegate agencies to resolve minor classification problems. However, all audit exceptions shall be reported to the Legislature by October 1 of each year.
- D. Delegate agencies shall receive no less than twenty-four (24) hours notice prior to the audit. The delegate agency's primary job analyst and the agency Personnel Director shall be available to answer questions from the State Personnel Board auditors. Incumbents of positions reallocated within twelve (12) months prior to the audit should be available for desk audits of their positions.

5.18.8 Certification to the State Personnel Board

Prior to making any reallocation or reorganization effective, each appointing authority who has entered into an agreement (under this paragraph) shall certify to the State Personnel Board that the total annualized cost of any reallocation or reorganization, shall be equal to or less than the cost savings generated through downward reallocation or position abolishment of vacant positions.

5.18.9 Personal Services Budget Requests (Staff Management Planning Instructions)

Delegate agencies must still submit personal services budget requests to the State Personnel Board in accordance with each year's Staff Management Planning Instructions.

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5.18.10 Notice to Employees in Reallocated Positions

Delegate agencies shall give written notice to an employee whose employment position is reallocated pursuant to delegation agreements that the job classification may be changed and the salary adjusted to reflect the correct job classification should the State Personnel Board determine that the delegate agency misclassified the position. This written acknowledgment must be obtained prior to submitting the reallocation to the State Personnel Board. **Incumbents of these positions shall acknowledge in writing that for a period of one (1) year the State Personnel Board has statutory authority to review any delegated reallocation, to correct any erroneous delegated reallocation and, if warranted, to reduce their salary to the level it was prior to the erroneous reallocation.** This shall apply to filled positions which are reallocated, as well as vacant positions which are reallocated and subsequently filled. Authority to correct such misclassifications shall be limited to one (1) year from the date the State Personnel Board receives written notice of the reallocation. Agency heads shall document said acknowledgment in agency files and by forwarding a copy to the Office of Classification and Compensation of the State Personnel Board.

5.18.11 Required Documentation Retained by Agencies under Agency Delegation Authority**I. Inventory:****___ 1. Justification of reallocation:**

Mandatory items to be addressed in justification:

- ___ a. Position Identification Number (PIN);
- ___ b. Current occupational title;
- ___ c. Proposed occupational title;
- ___ d. Status of the position (filled or vacant);
- ___ e. Reason(s) for reallocation;
- ___ f. Justification must state whether federal or state case law, regulations, guidelines or statutes impact upon action;
- ___ g. If reallocation requires change from state service to non-state service, justification must be provided. Alternatively, a change from non-state service to state service must be adequately justified;

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II. Analysis of Reallocation:

 1. Review history of PIN:

When was the last time the PIN was reallocated? If the position was reallocated within the last six (6) to twelve (12) months, denote reasons for change.

_____;

 2. Review agency vacancies for positions in proposed class:

 a. No vacancies in required class;

 b. Vacancy in requested class PIN(s): _____;

 c. If there is a vacancy in proposed class, denote why such position(s) could not be utilized in lieu of a reallocation:

Comments: _____;

 3. Insure proposed salary range is less than supervisor's; 4. Insure proposed salary range is greater than all subordinates; 5. Insure proposed salary range does not exceed agency head's or Governor's (See statutes and current legislation.); 6. Review the following statutes and published material and denote impact on reallocation:

 a. Agency's Statutes (Check supplements also). At a minimum;

 (1) Statutory qualifications of employees;

 (2) Statutory organizational structure;

Comments: _____;

 b. State Personnel Board Statutes (Check supplement also).

Comments: _____;

 c. State Personnel Board Policies and Procedures.
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- ___ d. Current FY Variable Compensation Plan (VCP).
Comments: _____;
- ___ e. Any legislative bills impacting the reallocation request and/or the requesting agency as a whole and/or the State Personnel Board (during the Legislative session).
Comments: _____;
- ___ f. Laws and appropriation bills not codified from Legislative Session.
Comments: _____;
- ___ g. Federal laws, regulations or guidelines which impact on the subject classes or positions;
- ___ 7. Determine/denote the relevant section(s) of the State Personnel Board Variable Compensation Plan (VCP) for the current FY impacting the reallocation: _____;
_____;
- ___ 8. Send applications for filled positions to State Personnel Board to determine if incumbent is qualified for the proposed classification. If incumbent is not qualified, the reallocation cannot be performed except as provided by law. Date sent to SPB: _____
SPB Determination: _____
- ___ 9. Determine if PIN is presently classified as state service or non-state service:

 - ___ a. State service;
 - ___ b. Non-state service;
 - ___ c. Check to see if there is a job classification;
 - ___ d. Check to see if incumbent was appointed from a certificate (Y/N);

- ___ 10. Agency shall retain copies of all relevant documentation in PIN file;

Note: In order to determine the proper classification of a position, a desk audit is recommended when there are questions arising from the personnel officer's analysis of the JCQ. When a desk audit is performed, a copy of the audit form and any additional information should be retained in the position file.

III. Agency Personnel Office Recommendation:

The Primary Job Analyst will make a recommendation as to the appropriateness of the reallocation to the Agency Head for final approval/disapproval.

A. Primary analyst's recommendation (initials):

- ___ a. Approval. Effective date: _____;
___ b. Disapproval;

B. Agency Head's Action:

- ___ a. Concur with staff recommendation;
___ b. Do not concur with staff recommendation;

IV. Disposition of Reallocation:

Reallocation approved:

- ___ a. Forward position employee data to SPB date action is finalized in accordance with the State Personnel Board Policy and Procedures Manual;
___ b. Agency shall retain a copy of the checklist.

Personnel Director's Signature/Date

5.19 POSITION-EMPLOYEE PROFILE

The Position-Employee Profile is updated in SPAHRS each time a transaction is completed on the position or the incumbent in the position. When the Position-Employee Profile is updated, agency staff are responsible for reviewing the profile to verify that all requested changes are made. If the requested changes have been made, no action is required. If requested changes have not been made, the agency should resubmit the request with the additional changes indicated.

5.19.1 Descriptive Information

A. POSITION DATA:

1. Filled or vacant status of position
2. System date: The date and time profile was generated
3. SSN: Incumbent's Social Security Number
4. Agency: Agency number
5. PIN: Position Identification Number (PIN)
6. Agency Name
7. OCCU: Occupational (Job) Code
8. Title: Occupational title
9. Start salary: The lowest salary of the occupation's salary range
10. End salary: The highest salary of the occupation's salary range
11. Sal Dt: Date of the most recent change to the start and end salary authorized for the OCCU
12. FLSA Status: FLSA Code E means position is exempt and FLSA Code N means position is non-exempt
13. Pos Auth Dt: The date the position is authorized to be utilized
14. Pos End Dt: This field reflects the date the escalated (Time-Limited) position will expire
15. Exec Serv: Indicates whether this position is included in Executive Service. The Executive Service codes are:
 - 0 Not Exec Comp Position
 - 1 Exec Comp Level I
 - 2 Exec Comp Level II
 - 3 Exec Comp Level III
16. Org cd: This 5 to 9 digit code denotes the exact location of each position within the agency organizational hierarchy.

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17. Cty: Location of position indicated by county number and name. When changing the county location, the new county number shall be used as designated by the following codes:

01 Adams	29 Itawamba	57 Pike
02 Alcorn	30 Jackson	58 Pontotoc
03 Amite	31 Jasper	59 Prentiss
04 Attala	32 Jefferson	60 Quitman
05 Benton	33 Jefferson Davis	61 Rankin
06 Bolivar	34 Jones	62 Scott
07 Calhoun	35 Kemper	63 Sharkey
08 Carroll	36 Lafayette	64 Simpson
09 Chickasaw	37 Lamar	65 Smith
10 Choctaw	38 Lauderdale	66 Stone
11 Claiborne	39 Lawrence	67 Sunflower
12 Clarke	40 Leake	68 Tallahatchie
13 Clay	41 Lee	69 Tate
14 Coahoma	42 Leflore	70 Tippah
15 Copiah	43 Lincoln	71 Tishomingo
16 Covington	44 Lowndes	72 Tunica
17 DeSoto	45 Madison	73 Union
18 Forrest	46 Marion	74 Walthall
19 Franklin	47 Marshall	75 Warren
20 George	48 Monroe	76 Washington
21 Greene	49 Montgomery	77 Wayne
22 Grenada	50 Neshoba	78 Webster
23 Hancock	51 Newton	79 Wilkinson
24 Harrison	52 Noxubee	80 Winston
25 Hinds	53 Oktibbeha	81 Yalobusha
26 Holmes	54 Panola	82 Yazoo
27 Humphreys	55 Pearl River	83 Statewide

28 Issaquena

56 Perry

18. Non Aligned Ind: Indicates whether the employee's salary is step aligned or not step aligned
19. Position Type: Indicates the status of the position. The valid position types are:
- C TL-CETA
 - G TL-Grant
 - O TL-Other
 - P Permanent
 - R TL CETA Grant
 - 6 TL CETA VI
20. Months Per Year: The number of months during the fiscal year that the position is authorized
21. Hrs Per Week: The number of hours per week an employee in this position is expected to work
22. Exempt From Sel Cd: Indicates whether the position is exempt from the State Personnel Board Selection Process. The valid exemption codes are:
- A Agency-only promotional or open-competitive
 - B Open-competitive or promotional competitive
 - C Competitive (Combination of A and B)
 - M Agency maintained List of Eligibles
 - N New - unassigned
 - P Promotional (Combination of A or B)
 - S State Personnel Dir. Selection Option
 - T Temporary (Until Class Specs finalized)
 - XC Not available at conversion - (Inactive)
 - Z Non-SPB Agency
23. Svc Type: Indicates whether the position is state service or non-state service. The valid service types are:
- 00 State Service
 - 01 NS - Legislature/Staff/Employees
 - 02 NS - Governor and Staff
 - 03 NS - Justices
 - 04 NS - Lt. Governor/Staff
 - 05 NS - Elected Officials
 - 06 NS - Board/Committee Members
 - 07 NS - Academic Officials/Teaching Staff
 - 08 NS - Officers/Enlisted, National Guard

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- 09 NS - Prisoners/Inmates/Students/Patients
- 10 NS - Contract Personnel
- 11 NS - Part-Time Employees
- 12 NS - Emergency Appointments
- 13 NS - Physicians/Dentists/Attorneys/Veterinarians
- 14 NS - Time-Limited Employees
- 15 NS - Agency Directors/Heads
- 16 NS - Employees Reporting to Key Excluded Officials
- 17 NS - Employees I/c/w Goods Contract
- 18 NS - Employees I/c/w Prison Construction
- 19 NS - Designated Agriculture/Commerce Employees
- 20 NS - Probational State Service (Former Code 99)
- 21 NS - Agency Comply = Non-State
- 22 NS - Extended Probational State Service
- 23 NS - Agency/Employee is Non-SPB, Agency Complies
- 24 NS - Agency/Employee is Non-SPB, Agency Non-Comply
- 24. Service Date: Indicates the effective date of the current service type
- 25. Retirement Pgm: Indicates the retirement program in which this position participates. Valid retirement programs are:
 - RMHSP Highway Patrol Retirement Program
 - RPERS Regular Retirement
 - RSLEG Legislative Retirement
- 26. Emolument Type: Indicates a non-cash, housing benefit. Some emoluments are subject to taxes and others only affect retirement. Valid values for emolument type are:
 - HOSTX State Provided House, Not Condition of Employment
 - HOUSE State Provided House, Condition of Employment
- 27. Emolument Amt: The approximate value of the emolument
- 28. Teacher Months: If the position is classified as a teacher, the number of months an employee in this position would work in a year
- 29. Pos Auth Bill Nbr:
- 30. Loc:
- 31. Abolish Date: The date the position was abolished
- 32. Abolish Reason: The reason the position was abolished. The valid abolishment reasons are:
 - AGE Agency Requested, Generate no Funds
 - BIL Appropriation Bill Mandated Position Transfer
 - CNV Abolished Prior to Conversion

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DFA DFA Approved Position Transfer
EXP Expired Escalation (Time-Limited)
LEG Legislature
PRD Agency Requested, Generate PROD Funds
RIF Reduction in Force
RLG Agency Requested, Generate RLGN Funds
SEN Senate Bill 3120
TRA Transfer Between Sub-Agencies
UPW Agency Requested, Generate REAL Funds
XCV Abolished Prior to Conversion

POSITION PROGRAM BUDGET INFORMATION:

- 33. Fiscal Year: The current fiscal year
- 34. Program Name: The name of the program to which the position is assigned
- 35. PGM #: The number that corresponds to the program name
- 36. Percent: Percent of funds paid from the corresponding program
- 37. GF%: Percentage of general funds
- 38. FF%: Percentage of federal funds
- 39. OF%: Percentage of other funds (37, 38, and 39 should always total 100)

EMPLOYEE DATA:

- 40. The employee's social security number
- 41. Last Name: The employee's last name
- 42. First: The employee's first name
- 43. Middle: The employee's middle name
- 44. Maiden: The employee's maiden name
- 45. Suff: The employee's suffix, such as Jr., Sr., III, or Dr.
- 46. DOB: The employee's date of birth
- 47. Sex: The sex of the employee in the position. The sex codes are:
 - 1 Male
 - 2 Female
 - 3 Unknown
- 48. State Hire Date: Represents continuous state service since being hired into state service

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49. AG Hire Date: Date incumbent was first hired into a position within the current agency
50. Pos Entry Date: Represents the effective date of the employee's appointment to the position
51. Employee Status: Indicates whether the employee is permanent state service
52. Status Date: The beginning date of the incumbent's status. On new hires, this date shall be the same as the hire date and the position entry date.
53. Annual Salary: The employee's annual salary amount
54. MTHLY Salary: The employee's monthly salary amount
55. Hourly Rate: The employee's hourly salary amount
56. Max Salary: The maximum salary resulting from application of the promotional formula
57. PROM Max Salary: The starting salary of the occupational class plus ten (10) percent
58. RLGN Max Salary: The maximum salary to be awarded as a result of realignment
59. Inservice Max: The maximum salary resulting from a fiscal year inservice increase
60. Last Salary Date: The effective date of the last certified salary change
61. Set By Statute: Indicates whether the salary is set by statute
62. Longevity AMT: The dollar amount the employee is eligible to receive for longevity pay. Longevity pay will not be reflected on the Position-Employee Profile until the employee has been certified at the end salary of his/her current classification.
63. Ed Bench Long/Amount: Displays the one-time lump sum longevity awarded to an employee who receives an educational benchmark which exceeds the end salary of the position
64. PAR: The employee's Performance Appraisal Rating
65. PAR Rating Date: The effective date of the employee's performance appraisal rating
66. Years Ed: Indicates the employee's total years of education including elementary, high school and college
67. Race: The race code of the employee in the position. Valid race codes are:
 1. American Indian
 2. White
 3. Hispanic

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4. Black
5. Asian
6. Other

68. POS Vacant Date: The effective date of the employee's separation

SEPARATION DATA:

69. Term Code: The number corresponding to the reason for the employee's separation
70. Term Date: The effective date of termination by the agency
71. Add/Spec Comp:
72. Requested Effective Date: The date the requesting agency desires the transaction to become effective
73. Authorized Signature: The agency authorized signature is required in this square on any profile forms submitted to the State Personnel Board.

5.20 Selective Service Registration

Section 25-9-351 of the Mississippi Code of 1972, Annotated, as amended, provides that every male between the ages of eighteen (18) and twenty-six (26) who is required to register under the Federal Military Selective Service Act, 50 USC App. 453, and **seeking employment** with the State of Mississippi, shall submit to the person, commission, board or agency to which his application is submitted, satisfactory documentation of his compliance with the draft registration requirements of the Military Selective Service Act prior to appointment.

In accordance with Section 25-9-127 of the Mississippi Code of 1972, Annotated, as amended, every male between the ages of eighteen (18) and twenty-six (26) who is required to register under the Federal Military Selective Service Act, 50 USC App. 453, and who is an employee of the State, shall not be **promoted** to any higher position of employment with the state until he submits to the person, commission, board or agency by which he is employed, satisfactory documentation of his compliance with the draft registration requirements of the Military Selective Service Act prior to promotion.

The Military Selective Service Act requires each man to register with Selective Service within 30 days of his 18th birthday. Selective Service will accept late registration but not after a man reaches age 26.

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A. The following persons are not required to be registered:

- (1) Aliens legally admitted to the United States as nonimmigrants under section 101(a)(15) of the Immigration and Nationality Act, as amended (66 Stat. 153; 8 U.S.C. 1101) and who continue to maintain the nonimmigrant status; e.g., visitors for business or pleasure, foreign diplomatic representatives, technical attaches of foreign embassies and legations, consuls general, consuls, vice consuls, diplomatic agents, members of NATO or other international organizations who are not United States citizens and members of their families, educational exchange students, and representatives of foreign information media.
- (2) Commissioned officers, warrant officers and enlisted men who are on active duty in the Army, the Navy, the Air Force, the Marine Corps and the Coast Guard, and commissioned officers of the National Oceanic and Atmospheric Administration and the regular Public Health Service.
- (3) Cadets at the United States Military Academy, the United States Air Force Academy and the United States Coast Guard Academy, and midshipmen at the United States Naval Academy.
- (4) Students enrolled in an officer procurement program at the following military colleges, the curriculum of which has been approved by the Secretary of Defense:
 - The Citadel (Charleston, SC)
 - North Georgia College (Dahlgene, GA)
 - Norwich University (Northfield, VT)
 - Virginia Military Institute (Lexington, VA)
- (5) Members of the reserve components of the Armed Forces, the Coast Guard and the Public Health Service while on active duty. Active duty in the Public Health Service must be performed by officers of the reserve of the Public Health Service while assigned to staff any of the various offices and bureaus of the Public Health Service, including the National Institutes of Health, or while assigned to the Coast Guard, the Bureau of Prisons of the Department of Justice, the Environmental Protection Agency or the National Oceanic and Atmospheric Administration, or while

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assigned to assist Indian tribes, groups, bands or communities pursuant to PL 568, 83rd Congress, as amended.

- (6) A person who is hospitalized or incarcerated at the time specified for his registration shall be exempt from registration during the period of his confinement. Upon his release he shall present himself for registration.
 - (7) Persons who are not required to register shall not be registered. If there is doubt as to whether a person is required to register, the registration shall be accomplished followed by official review and determination.
- B. A male applicant or current male employee who is required to register with the Selective Service System pursuant to Sections 25-9-351 and 25-9-127 of the Mississippi Code of 1972, Annotated, as amended, shall not be employed or promoted without prior submission to the employing state agency or appointing authority documentation to verify his registration with the Selective Service System. The employing state agency is required to maintain a signed affirmation from the applicant or employee that he has complied with the registration requirements of the Selective Service System. This documentation should be maintained in the employee personnel file. Applicants or employees who provide false information concerning their selective service registration, in accordance with Sections 25-9-351 and 25-9-127 of the Mississippi Code of 1972, Annotated, as amended, are subject to a penalty for perjury.

In the License, Certificate, Registration Section of the State Personnel Board Experience and Training Record, male applicants who are between the ages of eighteen (18) and twenty-six (26) must enter their selective service number prior to appointment or promotion. Submission and verification of the selective service registration number provided under signature of the applicant in the State Personnel Board Experience and Training Record is sufficient documentation of compliance with state law for applicants. Current male state employees may submit a short signed statement wherein their selective service number is provided for verification.

Submission by the employing agency to the State Personnel Board of personnel actions affecting males required to register under the Selective Service System will confirm the agency has verified compliance with Sections 25-9-351 and 25-9-127 of the Mississippi Code of 1972, Annotated, as amended.

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- C. An individual may verify registration by clicking on the "Check a Registration" icon at the Selective Service web site "www.sss.gov." The information requested will include name, date of birth and social security number.

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SPB Form 411.C-88 Rev. 3/93		STATE PERSONNEL BOARD AGENCY SALARY SURVEY DATA SHEET			
Agency Conducting Salary Survey				Date	
SPB Occupational Class				Occu Code	
Certification of Appointing Authority: I certify that the salary survey information compiled below is true, accurate, and complete.				Date	
RELEVANT LABOR MARKET INFORMATION					
Geographical Area					
Area		Description			
1	Statewide	Mississippi			
2	Jackson	Hinds, Rankin, and Madison Counties & Jackson Metropolitan Area			
3	Four Surrounding States	Louisiana, Arkansas, Tennessee, Alabama			
4	Thirteen Southeastern States	Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Virginia, West Virginia			
5	National	United States			
6	Other	Please explain.			
Date	Title of Comparable Job Classified Surveyed (Attach Class Specification or Complete Minimum Requirements)	Annual Salary Range in Dollars	Number of Employees (Full-time) in Surveyed Job Classification	Name and Address of Employer Surveyed (Indicate Public or Private)	Name and Telephone of Contact Person
					Specific Geographical Area (See Legend above.)

JOB CONTENT QUESTIONNAIRE

Dear Employee and/or Supervisor:

You are about to complete a Job Content Questionnaire, a type of position questionnaire designed to collect information which describes the duties and responsibilities of your position. It is NOT intended to measure how well you perform your job. Only your supervisor using a performance appraisal form can evaluate your work performance. Before you begin to complete this form, please read the following information regarding the purposes and uses of the Job Content Questionnaire.

WHO completes the form?

The Job Content Questionnaire should be completed in a joint effort by the employee and the supervisor. Independently, the employee's supervisor lists the duties, tasks, and responsibilities from his/her perspective of the employee's position. The employee and the supervisor should then meet and discuss what each perceives to be the duties, tasks, and responsibilities of the position. Any incomplete entries, inaccuracies or discrepancies are to be resolved before the employee completes the final draft of the Job Content Questionnaire. From this draft evolves one Job Content Questionnaire for the employee.

The Job Content Questionnaire should be updated no less than once a year either at the time of the employee's performance appraisal rating or *following the vacating of the position*. The most appropriate time for the supervisor to make changes to duties, tasks, and responsibilities, as well as any changes to the job title of the position is when the position is vacant.

WHAT is the Job Content Questionnaire?

A type of position questionnaire or job analysis designed to collect data regarding duties, tasks, and responsibilities for the position and the qualifications necessary to perform the work at a Meets Expectations level. It is also used to identify the **ESSENTIAL functions of the position**.

FOR WHOM am I completing the form?

There must be a well-defined Job Content Questionnaire that outlines the duties, tasks, and responsibilities for every position (Position Identification Number "PIN") under the salary setting authority of State Personnel Board. The Job Content Questionnaire is maintained by the employee's agency at all times. It is submitted to the State Personnel Board with requests to establish a new position or to reallocate an existing position.

WHY am I completing the form?

The Job Content Questionnaire is the principal document which describes duties and responsibilities of the position. The data it contains can be used for the following:

- developing training programs,
- interviewing job applicants,
- determining duties for use in the performance appraisal process,
- determining position classifications, class specifications, and selection requirements, and,
- identifying essential functions.

HOW is the form completed?

Instructions are provided throughout the form. The most important point is to completely and accurately describe the job as it **presently** functions. If help is needed, contact your supervisor and/or agency personnel officer.

DEFINITIONS

Duty: a distinct, major role or function assigned to a position which is a principal responsibility and which occupies a significant portion of work time.

Task: a distinct, identifiable work activity that constitutes one of the logical and necessary steps in the performance of a major duty.

Position or Job: a group of current duties, tasks, and responsibilities requiring the services or activities of one worker.

Class: a specific group of jobs or positions which are sufficiently similar in duties to warrant the same title, selection requirements, and pay range; also, the official title assigned to a position by the State Personnel Board.

Supervision: the act of planning activities, organizing work functions, directing the actions of employees, and controlling the work output of an assigned staff. The supervisory function is one which may be exercised either over particular line positions and personnel within the agency or over specific functions.

Essential Functions: the fundamental job duties of the position; not to include the marginal functions of the position.

Knowledges: the subjects, topics, and items of information which a new employee typically should know at the time he or she is hired or moved into the job; knowledges are bodies of information that are applied directly to the performance of work functions.

Skills: technical or manual proficiencies which are usually learned or acquired through training and which are present, measurable, and observable.

Abilities: the present demonstrable capacity to apply several knowledges and skills simultaneously in order to complete a task or perform an observable behavior; abilities may also relate to personal and social attributes which tend to be innate or acquired without formal instructions, such as the ability to deal effectively with the public in giving and obtaining information.

DIRECTIONS FOR COMPLETING THE JOB CONTENT QUESTIONNAIRE

This section is the most important of those within the form and is the one which will require the most thought. Here you are asked to describe your job in detail so that this information can be used for such functions as training, appraising performance, interviewing and classification.

Overcome the tendency to exaggerate your work, but rather describe it in meaningful terms which accurately represent the duties and tasks you perform. Avoid using such ambiguous terms as help, handle, assume, and process. Do use crisp, concise terms which actually define your work, such as compose, type, record, assign, and review. Your supervisor should be able to help you compile a list of your major duties. Also, your agency personnel officer will be able to assist in completing this section. Space has been provided for writing six (6) major duties and their accompanying task statements. Feel free to add or delete pages as required.

Duty Statement

A duty is a distinct, major role or function which may include any number of tasks. It is one of your principal responsibilities and occupies a significant portion of your time. List the most important first, then those done regularly, and then those done occasionally or by special assignment. Be sure the duty statement is significantly descriptive to incorporate all major components of that duty.

In describing your work, indicate what is true of your job today, not what was true on the day you were hired or what is expected to be true in the future. Should you be assigned duties which are performed only during certain times of the year, you may include these duties if they have been performed in the last calendar year. If the position is vacant, the immediate supervisor should complete this section, describing the job as though the position is filled by a fully trained and experienced individual.

Task

Each task statement should tell what action is performed; for whom or what you do this action; what is produced by this action; and which equipment, tools, materials, work aids, and processes you use when performing this action.

Percentage of Time

The percentage of time is the estimate of the total work time which you spend in performing each duty. In estimating the percentage of time, it may be easiest for you to look at your job duties over an extended period of time, say within the last calendar year, in order to determine these figures. When all duties have been assigned percentages, the sum of these percentages should equal one hundred percent.

Rating Scale

The Rating Scale should be completed after you have written duty statements describing your job. Simply read the rating scale below, then rank each duty statement by a single rating scale.

How often do you perform this task?

1. Regularly - on a daily/weekly basis
2. Periodically - on a monthly basis
3. Infrequently - on a yearly basis

What is the consequence of error?

1. Low - little effect beyond inconvenience
2. Limited - loss of time
3. Moderate - detrimental to reputation and services of the organization
4. High - loss of program effectiveness, embarrassment to the organization, impacts on working relationships with other agencies
5. Serious - cause loss of life or limb

Knowledges, Skills, and Abilities

Describe the knowledges, skills, and abilities a person would possess in order to perform each duty satisfactorily. Think in terms of requirements that any individual should meet to satisfactorily perform your job and not the qualifications which you currently possess. You may want to refer to the definitions of the terms knowledges, skills and abilities before completing this segment.

JOB CONTENT QUESTIONNAIRE

1. Position Data

a. Position Number (PIN)		Check one:		Filled		Vacant
---------------------------------	--	-------------------	--	---------------	--	---------------

b. Job Class

c. Agency

County

d. Work Site(s) [Check.]

Office

Field

**Other
[Specify.]**

e. Job Summary [Short statement of the job's basic purpose; why the job exists.]

2. What education, special training, experience, or licenses are required for satisfactory job performance?

3. What machines or equipment are you responsible for operating?

4. What are the working conditions? List such items as noise, heat, outside work, exposure to bad weather.

5. Do you directly supervise other employees? If so, give the number supervised, their job titles, and the number they each supervise.

6. Are there any special characteristics, physical requirements, etc., a person must possess in order to perform your duties satisfactorily?

Certification of Incumbent: I certify that I have read the instructions and that the entries are my own and to the best of my knowledge are accurate and complete.

Signature

Date

Duty Statement #1

Tasks

% of Time Devoted to this Duty

How frequently is this duty performed? [Check one.]

**Consequence of Error
(1-5)**

Regularly

Periodically

Infrequently

Were you required to be able to perform this duty upon entry into the position?

Knowledges

Skills

Abilities

Duty Statement #2

Tasks

% of Time Devoted to this Duty

How frequently is this duty performed? [Check one.]

**Consequence of Error
(1-5)**

Regularly

Periodically

Infrequently

Were you required to be able to perform this duty upon entry into the position?

Knowledges

Skills

Abilities

Duty Statement #3**Tasks****% of Time Devoted to this Duty****How frequently is this duty performed? [Check one.]****Consequence of Error
(1-5)**☐ Regularly☐ Periodically☐ Infrequently**Were you required to be able to perform this duty upon entry into the position?****Knowledges****Skills****Abilities**

Duty Statement #4

Tasks

% of Time Devoted to this Duty

How frequently is this duty performed? [Check one.]

**Consequence of Error
(1-5)**

Regularly

Periodically

Infrequently

Were you required to be able to perform this duty upon entry into the position?

Knowledges

Skills

Abilities

Duty Statement #5**Tasks****% of Time Devoted to this Duty****How frequently is this duty performed? [Check one.]****Consequence of Error
(1-5)****Regularly****Periodically****Infrequently****Were you required to be able to perform this duty upon entry into the position?****Knowledges****Skills****Abilities**

TO BE COMPLETED BY THE IMMEDIATE SUPERVISOR

This section should be completed by the employee's immediate supervisor after reviewing the entries made by the incumbent. Should you find incomplete entries or inaccuracies in the employee's description of his or her job, resolve these discrepancies before the employee completes the final draft of this form. The immediate supervisor's section has been designed as a recap and overview of the employee's description of the job. It should be completed in either your own handwriting or typed and it must be signed and dated.

1. Briefly describe the functions performed by the unit in which the employee works.

2. What do you consider the most important responsibilities of this position?

3. What types of formal education, specialized training, related work experience, certification, licensure, or registration, and other special requirements should be required at entry for this job?

4. How many months would it take a new employee in this position to perform at the level that a fully experienced individual performs?

5. Indicate the statement which most nearly describes the difficulty and general complexity of the work performed in this position.

The work is routine or highly repetitive and simple in nature with little or no choice of action.

The work is routine or repetitive and follows clearly prescribed standard practice involving straightforward application of readily understood rules and procedures. The employees may make minor decisions, usually of relatively little importance, which affect efficiency of the operation rather than accuracy, correctness, or quality of work.

The work is generally routine or standardized but involves a choice of action within limits defined by standard practices and instructions. It also requires applying established rules and procedures and making decisions that may affect quality, accuracy, or utility of results.

The work is generally semi-routine or diversified and requires judgement in applying broader aspects of established practices and procedures to problems and situations not falling clearly within the limitations of accepted standards and precedents. The employee works toward assigned objectives, sometimes adopting or modifying methods and standards to meet changing conditions.

	The work is governed generally by broad instructions, objectives, and policies, usually involving frequently changing conditions and problems. It requires considerable judgement to apply factual background and fundamental principles in developing problem-solving approaches and techniques.
	The work requires analysis of broad problems, the planning of interrelated activities, and sometimes the coordination of efforts of more than one major department or division. The employee works out programs and approaches to major problems using recognized general principles.
	The work involves responsibility for consideration and analysis of major problems for the organization. It requires development of data and recommendations influencing decisions on long-term policies relating to major functions where no precedent has been established.
6. Class of your position	
Certification of Immediate Supervisor: I certify that I have reviewed the entries made by the employee on this form and agree that they are accurate and complete; I also certify that the entries in this section are my own and to the best of my knowledge are accurate and complete.	
Signature	Date

The following area may be used by the agency as a place for documentation of the essential functions for this position. Factors to consider in determining if a function is essential include, but are not limited to: whether the position exists to perform that function; the number of employees available to perform that job function or among whom the performance of that function can be distributed; and the degree of expertise or skill required to perform the function.		
	Duty Statements	Essential
1		
2		
3		
4		
5		
6		
Signature		